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**TIGARD CITY COUNCIL  
SPECIAL MEETING**

**October 7, 2003 6:00 p.m.**

**TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223**



**PUBLIC NOTICE:**

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

**SEE ATTACHED AGENDA**

**A G E N D A**  
**SPECIAL TIGARD CITY COUNCIL MEETING**  
**WITH WASHINGTON COUNTY BOARD OF COMMISSIONERS**  
**October 7, 2003 – 6 P.M.**

1. SPECIAL MEETING
  - 1.1 Call to Order - City Council & County Board of Commissioners
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  
2. DISCUSSION ON POTENTIAL ANNEXATION OF THE BULL MOUNTAIN AREA TO THE CITY OF TIGARD :
  - Background Information
  - Communication Plan – Draft
  - Status of Parks System Development Charges
  - Annexation Plan
  - Review Calendar – Steps between now and December 2 and Beyond
  - Tigard Planning Staff: Why the present effort does not include the two new Urban Growth Boundary areas adjacent to the City of Tigard?
  - Other Issues of Mutual Concern
  
3. ADJOURNMENT

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AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF Oct. 7, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discussion on Potential Annexation of the Bull Mountain Area to the City of Tigard

PREPARED BY: Beth St. Amand DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Joint meeting with the Washington County Board of Commissioners and Tigard City Council to continue discussion of the potential annexation of Bull Mountain to the City of Tigard.

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STAFF RECOMMENDATION

Provide direction on proceeding with action on the Bull Mountain Annexation Plan. This will include public outreach in preparation of the November 4, 2003 Council study session on the Annexation Plan.

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INFORMATION SUMMARY

In 1983, Washington County and the City of Tigard signed the Urban Planning Area Agreement (UPAA) that laid the groundwork for Bull Mountain's annexation to Tigard. The UPAA established the City's urban planning area and paved the way for the County and City to jointly serve the area. Over time and through additional agreements, Tigard has absorbed more services. The 2002 Tigard Urban Service Agreement (TUSA) clearly stated this goal, directing the City to initiate annexation of the Bull Mountain area in the near to mid-term (3-5 years). Over the last two years, the City has examined the costs and benefits of annexing Bull Mountain, based on providing urban services to the area.

This joint meeting between the Board of Commissioners and Council will provide an opportunity for the Board and Council to consider the City's Communication Plan for Bull Mountain Annexation. The Plan identifies numerous communication tools such as coffee talks, community meetings, Focus on Tigard cable TV presentations, etc. The County's involvement in public involvement and outreach is critical. The Plan is attached (Exhibit A).

The County has committed to imposing a Park Systems Development Charge once the Council takes action on the Annexation Plan. On October 7<sup>th</sup>, the Board of County Commissioners is scheduled to consider an ordinance that would provide for Park System Development Charge collection in unincorporated Bull Mountain upon action by the City on the Annexation Plan. The current schedule has the Board considering adoption of the Ordinance on October 28, 2003.

Development of an Annexation Plan and subsequent vote requires that numerous steps and procedures must be followed. An overview of all necessary steps and requirements will be discussed with the Council and Board of Commissioners. The calendar is attached (Exhibit F).

The Bull Mountain Annexation Plan does not include Urban Growth Boundary Expansion Areas 63 and 64. Tigard City Council previously discussed inclusion of these two areas, deciding to separate them from consideration of the Annexation Plan. Further, Intergovernmental Agreements would need to be amended to reflect inclusion of these two areas. The timeline leading to a possible March election does not allow such amendments.

*The Bull Mountain Annexation Plan* builds upon these efforts and proposes an annexation strategy. It addresses the how, when, where and who of annexation, but in essence, the plan is a proposal for transferring services and households to Tigard in an organized and efficient manner. The annexation plan is based on ORS195.205 and 195.220, which establish the annexation plan process. ORS195.205 allows for the annexing city and Plan Area to vote upon the plan's annexation proposal, following public hearings and Council's approval of the plan. The Board and City Council will be provided an overview of the draft Bull Mountain Annexation Plan. The Plan is scheduled for City Council review on November 4, 2003; the public hearing is scheduled on December 2, 2003. Pending Council's action, the Plan could be voted on as early as March 9, 2004. The draft Annexation Plan is attached (Exhibit E-1).

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### OTHER ALTERNATIVES CONSIDERED

N/A

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### VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management, Goal #2 – Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

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### ATTACHMENT LIST

Attachment 1: Memo from Jim Hendryx dated September 23, 2003, "Bull Mountain Annexation Plan Update"  
Exhibit A: Communications Plan  
Exhibit B: "Completing our Community"  
Exhibit C: "Completing our Community Q & A Parks"  
Exhibit C-1: "Completing our Community Q & A Roads"  
Exhibit D: Letter from Bill Monahan dated September 12, 2003 to Ellen Cooper regarding Parks Systems Development Charges – Bull Mountain  
Exhibit E: Memo from Jim Hendryx dated September 26, 2003, "Discussion of Bull Mountain Annexation Plan Alternatives"  
Exhibit E-1: Annexation Plan Draft  
Exhibit F: Bull Mountain Calendar – October 2003 through March 2004  
Exhibit G: March 18, 2003 Council packet materials – update on Urban Growth Boundary Expansion Scope and Process  
Exhibit H: City Council Meeting Minutes from March 18, 2003

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### FISCAL NOTES

N/A



## MEMORANDUM

### CITY OF TIGARD

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TO: City Council

FROM: Jim Hendryx, Community Development Director

DATE: September 23, 2003

SUBJECT: Bull Mountain Annexation Plan Update

#### **Background**

In 1983, Washington County and the City of Tigard signed the Urban Planning Area Agreement (UPAA) that laid the groundwork for Bull Mountain's annexation to Tigard. The UPAA established the City's urban planning area and paved the way for the County and City to jointly serve the area. Over time and through additional agreements, Tigard has absorbed more services. The 2002 Tigard Urban Service Agreement (TUSA) clearly stated annexation as a goal, with the Bull Mountain area in the mid-term (3-5 years). Over the last two years, the City has examined the costs and benefits of annexing Bull Mountain, based on providing urban services to the area.

At its September 9, 2003 meeting, Council passed a resolution directing the preparation of an Annexation Plan for Bull Mountain, scheduling a public hearing on December 2, 2003, and a possible election for March 9, 2004.

#### **Communications Plan**

The Communications Plan for the Bull Mountain Annexation Plan (Exhibit A) identifies the various communication tools, including Coffee Talks, Community Connectors, special phone line for questions and comments, City web site, community meetings, Cityscape articles, press releases, brochures, Focus on Tigard, lobby displays, a traveling display, and welcome packets and/or letters to newly annexed Bull Mountain residents. A calendar of key dates is attached (Exhibit F).

As noted in the Communications Plan, steps have been taken to record all correspondence, phone messages, e-mails, and general questions related to the Bull Mountain Annexation Plan. The complete record, which will include both questions and answers, is being developed and will be provided to Council and the public as the Annexation Plan discussions proceed. The various questions and answers that come up during the coffee talks, open houses, and from e-mails,

correspondence, etc., will help form background information for Council and the public. This information will be posted on the web page and used in displays, brochures, etc.

To date, three e-mails have been received concerning the Annexation Plan. Staff is in the process of responding individually to the e-mails. (Additionally, the questions and answers will help the public information process that is currently under development, by providing information on the most commonly raised questions.) In general, questions have focused on service delivery, parks and open space, development activity, timing, and need for annexation. Weekly updates will be provided to Council on the number of phone messages, e-mails, coffee talks attended, etc. This will keep Council informed about the volume and nature of public inquiries.

Included in this packet is an exhibit which provides initial background information and questions and answers concerning "Completing our Community" (Exhibit B). This material has been used in the Cityscape that has been published. Also included is a Q & A on parks (Exhibit C) and Q & A on roads (Exhibit C-1). This is being provided as an example of materials being developed for the Bull Mountain Annexation Plan public outreach effort. Washington County is assisting in preparing these informational packets. Samples will be presented at the meeting on October 7<sup>th</sup>.

### **Status of Park System Development Charges**

The County has committed to imposing a Park Systems Development Charge once the Council takes action on the Annexation Plan. On October 7<sup>th</sup>, the Board of County Commissioners is scheduled to consider an ordinance that would provide for Park System Development Charge collection in unincorporated Bull Mountain upon action by the City on the Annexation Plan.

Following is an update on Parks System Development Charges for the Bull Mountain area:

From the Washington County staff report for the September 16, 2003 Hearing on Ordinance 614, "... Washington County and Tigard previously agreed the county would adopt a park system development charge (SDC) for the unincorporated areas of Bull Mountain that would be applicable to new development prior to annexation to the city through a voter approved annexation plan. Exhibit 7 (Park System Development Charge) of the "Urban Services Intergovernmental Agreement Between City of Tigard and Washington County" states:

" 'If the City undertakes the preparation of an Annexation Plan for the Bull Mtn. area, which the voters approve, the County shall allow the City to collect a Park System Development Charge (SDC) for new development for the period between the approval date of the Annexation Plan and the effective date of the annexation. The initial SDC shall be the City's current rate at the time this provision is implemented, and may be adjusted according to the City's procedures for changes to the SDC. To the extent practicable, funds collected within the Bull Mtn. area shall be expended within the area.'

"In order to collect a park SDC for new development in the unincorporated areas of Bull Mountain, the county is required to adopt a park SDC. So that the county may adopt a park SDC, the county must add an implementing strategy to the Washington County Comprehensive Framework Plan for the Urban Area to enable the adoption of a park SDC. Tigard has requested that the County's park SDC for the Bull Mountain area be in effect shortly after the city adopts the annexation plan.

“So that the county can proceed with preparing a park SDC ordinance for Board consideration, staff recommends amending Ordinance No. 614 to include the necessary implementing strategy in the Comprehensive Plan. Once this strategy is in place, staff may then prepare and file an ordinance for the creation of the park SDC. ...”

Attached is a letter from Bill Monahan to Ellen Cooper, Assistant County Administrator, dated September 12, 2003, providing a quarterly update on the loss of Parks SDC money (Exhibit D).

### **Draft Bull Mountain Annexation Plan**

An Annexation Plan, as outlined by State Statute, provides a method for a committee to consider annexation. In considering the Bull Mountain Annexation Plan, Council has latitude on how it may proceed. Exhibit E outlines the alternatives that Council can consider. The Bull Mountain Annexation Plan is found as Exhibit E-1.

*The Bull Mountain Annexation Plan* builds upon these efforts and proposes an annexation strategy. It addresses the how, when, where and who of annexation, but in essence, the plan is a proposal for transferring services and households to Tigard in an organized and efficient manner. The annexation plan is based on ORS195.205 and 195.220, which establish the annexation plan process. ORS195.205 allows for the annexing city and Plan Area to vote upon the plan's annexation proposal, following public hearings and Council's approval of the plan.

### **Calendar of Key Dates**

The Communications Plan for the Bull Mountain Annexation Plan identifies numerous communication methods that will be used for the Annexation Plan. Dates and locations for coffee talks, open houses, etc., are noted in Exhibit F. The City Council and Board of Commissioners need to determine who will be attending these key meetings.

### **Urban Growth Boundary Expansion Areas 63 and 64**

In March 2003, the Tigard City Council discussed the relationship between the ongoing Bull Mountain annexation study and the UGB expansion program (Exhibit G). As a result of this discussion, the Council made a determination that the Bull Mountain Annexation Plan and the UGB expansion areas should proceed on “separate paths” (Exhibit H).

# Communications Plan for Bull Mountain Annexation

## Goal:

To ensure all stakeholders are informed about the issues and process involved in an annexation of the unincorporated Bull Mountain area.

Comply with required notification requirements for annexation public hearings.

## Stakeholders:

Tigard residents  
Bull Mountain residents  
Tigard staff (all departments)  
Tigard Council and Planning Commission  
Washington County Staff  
County Commissioners

## Communication Plan Key Themes:

1. For over 20 years, the City of Tigard and Washington County have recognized that unincorporated Bull Mountain and its citizens would be best served by the City of Tigard because when services are developed and delivered locally, they tend to be more responsive to community needs.
2. Residents in the Bull Mountain area have historically received many of the benefits of being part of the Tigard Community, such as participating in the visioning process, accessing Tigard library and parks, participating in task forces and in development code and comprehensive plan development.
3. Studies have demonstrated that in order to best serve the unincorporated Bull Mountain area, an annexation, sooner rather than later, is necessary. For example, the ability to provide for parks diminishes over time as land is developed, land costs increase, and funding mechanisms for new parks (SDC's) are reduced.
4. Tigard residents should have a say in whether this area is brought into the City of Tigard because they are part of the community and should have input on how the community grows.
5. An annexation plan is the most effective and efficient way to determine the issue of annexation of the Bull Mountain area because it is a comprehensive method of annexation that allows both the residents in the area to be annexed and the residents of the local jurisdiction to determine the issue. It will establish a timing and sequence for annexation, identify how and when services will be delivered, identify the effects on existing service providers and the long term benefits for all stakeholders.
6. Knowledge and involvement of staff from all departments, the City Council, Washington County staff, and County Commissioners are important to make sure accurate information is conveyed to the Tigard and Bull Mountain citizens.



## Key communication milestones and outreach strategies:

September 9<sup>th</sup> – Council considers resolution to initiate annexation plan.

Outreach strategies used prior to milestone:

Development of communication outreach plan. Development of key information pieces.

October 7<sup>th</sup> - Annexation plan presented at joint Council and County Board meeting.

Outreach strategies used prior to milestone:

Q&A Hotline, Cityscape article, Community Connectors, press releases, web site, informational brochure, displays, traveling display/information, Focus on Tigard presentation.

December 2<sup>nd</sup> - Public hearing on whether to place annexation plan on the ballot and Council considers Ordinance to place annexation plan on the ballot

Outreach strategies used prior to milestone:

Coffee talks with Bull Mountain residents and other stakeholders, Q&A Hotline, Cityscape article, Community Connectors, cable presentation (Focus on Tigard), press releases, web site, displays, public hearing notice as required by law, traveling display/information to service clubs, community groups and civic groups.

March 9<sup>th</sup> 2004 – Election on annexation plan.

Outreach strategies used prior to milestone:

Coffee Talks with other stakeholders, Q&A Hotline, Cityscape article, Community Connectors, Cable presentation, press releases, web site, informational brochure, flyers, displays, traveling display/information to service clubs, community groups and civic groups.

Outreach strategies used after milestone:

Press release, web site, if annexation plan passes - welcome packets and/or informational letters mailed to all Bull Mountain residents.

# Outreach Strategy Details:

## **Coffee Talks**

Council will hold talks with small groups of interested individuals (Bull Mountain residents, Tigard residents and other stakeholders) at locations throughout the City to answer questions and convey accurate information about the issues surrounding a possible annexation.

Timeframe:

Initiation of annexation plan development to election (March 2004)

Staff involvement: (Bill and Jim)

City staff will attend the Coffee Talks to support Council, however Council members will facilitate the discussions. Staff (Jerree) will schedule the Coffee Talks.

## **Q&A Hotline**

A “hotline” will be set up for people to call with questions related to the annexation plan.

Timeframe:

Initiation of annexation plan development to election (March 2004)

Staff involvement: (Jerree, Julia, Duane)

City staff will develop and maintain the hotline.

## **Web site**

A page dedicated to accurate and timely information will be developed and maintained. Will include important meeting dates and dates of additional public outreach elements. Also included on the website will be a link to an e-mail for questions.

Timeframe:

Initiation of annexation plan development to election (March 2004)

Staff involvement: (Julia, Duane)

City staff will develop and maintain the web site.

## **Print media**

The following resources will be used to convey information on a larger scale:

**Cityscape** – regular updates (Julia, Duane)

**Press releases** – bi-monthly updates (Julia, Duane)

**Community Connectors** – monthly updates (Julia, Duane)

**Brochures** – after annexation plan is initiated (September) and after Council decides whether to place it on the ballot (December) explaining facts and details. (Julia, Duane)

## **Cable TVTV**

Focus on Tigard segments will be taped to provide information and process updates at key intervals. It is anticipated that a segment will be provided in October to discuss the general concepts and the public outreach plans, in November once the annexation plan

is released and in January prior to a March election (after Council hearing to place annexation plan on the ballot). In addition, update notices of key meetings will be provided at every Focus on Tigard taping.

**Timeframe:**

Focus on Tigard segments anticipated for early October, November and mid-January. Also brief monthly updates provided at every Focus on Tigard taping.

**Staff Involvement:** (Julia for Oct. & Nov.; Duane for Jan.)

City staff will be responsible for coordinating (producing) Focus on Tigard segments. Council will be involved in presenting the information.

**Lobby displays**

Informational display in the lobby will be provided that has key facts, messages, maps, etc.

**Timeframe:**

From initiation of annexation plan through election

**Staff involvement:** (Julia, Duane)

City staff will develop the display and ensure that updates (if needed) are provided.

**Traveling display/information**

A team of people (most likely the City Manager, CD Director and Planning Manager) will present information at civic organizations such as the Rotary, Chamber of Commerce, etc., and department meetings to update people on the process, the issues and the facts. It will also include a portable display with key facts, maps, etc.

**Timeframe:**

Periodically from initiation through election

**Staff involvement:** (Julia, Duane)

City staff will prepare basic information and members of the team will take turns presenting the information.

**Welcome packets and/or informational letters**

Direct mailings to all Bull Mountain residents after election informing them of when their effective date will be and what services they can expect, important phone numbers and contacts. If sequenced annexation is part of the annexation plan, additional welcome packets will be mailed when each area's annexation becomes effective.

**Timeframe:**

Within 1 month of election, after votes are certified. If sequenced annexation is part of the plan, mailings will also be sent before each area is officially in the City.

**Staff involvement:** (Julia, Duane)

City staff will prepare packets and informational letters. Welcome packet letters will come from the Mayor.

## Completing Our Community

*Since the adoption of its comprehensive plan over 20 years ago, Washington County and its partner cities have recognized that neighborhood services are best provided by cities and special service districts, such as Tualatin Valley Fire and Rescue (TVF&R) and Clean Water Services (CWS).*

*Together, the County and the City of Tigard have taken a number of actions to move in this direction for the Bull Mountain community.*

- In 1983, the County and City signed an agreement confirming that Bull Mountain, and other unincorporated lands within Tigard's Urban Planning Area, would be part of Tigard within 20 years
- In 1984 the County adopted the Bull Mountain Community Plan acknowledging that neighborhood services would ultimately be provided by the City of Tigard or, in the case of parks, either Tigard or a special service district.
- In 1997, Tigard Beyond Tomorrow, a 20 year community vision was adopted. One of the goals of the Citizens Task Force is that "Urban Services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share."
- In 1997, the County contracted with the City to provide planning and building services unincorporated areas, including Bull Mountain.
- In 2003, the Tigard Urban Service Agreement was signed by the City, County, and special serve districts recognizing Tigard as the appropriate provider of urban services for all residents and business owners within its boundaries and to adjacent unincorporated areas to meet state law.
- Beginning July 1, 2004 the City, through an intergovernmental agreement with CWS will provide storm and sanitary sewer services within the unincorporated areas, including Bull Mountain.

*Q: How are Bull Mountain residents involved in City of Tigard affairs?*

*The City's comprehensive plan adopted in 1983 recognized that all of Bull Mountain would ultimately receive services from the City of Tigard. Since then residents of Bull Mountain have participated as members of the Tigard community:*

- As Neighborhood Planning Organization members
- As Citizen Involvement Team (CIT) facilitators

- As Community Connectors – neighborhood liaisons to the City
- On the Planning Commission
- In the “Tigard Beyond Tomorrow” vision process as survey respondents, Task Force members, and Action Committee members
- Serving on City Task Forces (Transportation Funding Strategies Task Force, Mayor’s Blue Ribbon Task Force)
- Enjoying City parks and libraries without paying City taxes

Because Bull Mountain residents are already involved in Tigard affairs, many people believe that Bull Mountain is already in Tigard. Some of Bull Mountain is in Tigard; however a larger portion is actually in unincorporated Washington County. Residents in unincorporated Bull Mountain do not receive most City services. They are assessed additional fees for special service districts that provide urban levels of services (road maintenance, additional Sheriff’s patrol, and street light maintenance where there are street lights.) Below is a map that shows the area under consideration for annexation.

*(insert map?)*

*What’s the status of neighborhood service delivery to Bull Mountain?*

*Bull Mountain residents pay to receive neighborhood services on an interim basis through County service districts and through contract services provided by the city of Tigard:*

- Street Lights through street lighting special districts
- Road maintenance through the Urban Road Maintenance District (URMD)
- Sheriff’s patrol through the Enhanced Sheriff’s Patrol District (ESPD)
- Building and Planning services from the City of Tigard under contract with the County.

These services, as well as parks code enforcement and traffic calming programs, would be provided by the City of Tigard and funded by city taxes as areas on Bull Mountain annex into the City. Once annexed, Bull Mountain residents would no longer pay ESPD, URMD and street lighting district taxes to the County.

*After being planned for twenty years, why is annexation of Bull Mountain being discussed now?*

- *Park Opportunities*– The City of Tigard would like to take advantage of the remaining opportunities to locate and develop parks and open spaces on Bull Mountain while land and financial tools are still available. For instance, since 1984 only 11.68 acres of park land have been purchased on Bull Mountain. No parks system development charges have been charged to new development in

unincorporated Bull Mountain. As a result, since 1997, \$1.2 million of revenue to purchase and develop park land has been lost. The County has agreed to begin charging a park fee on new development (Systems Development Charge) for parks immediately after the City Council sets a date for an election on the Bull Mountain annexation plan. The funds would be collected by the City on new development and could only be used to purchase land for parks or open space once the area is annexed.

- *Other Services* – The City would like to begin providing neighborhood services to at least a portion of the residents of Bull Mountain on July 1, 2004. The City would provide police services to the Bull Mountain Community as they are annexed but must hire additional staff to maintain current officer to citizen ratios throughout the City of Tigard. In addition, the City would provide code enforcement services, road maintenance and street lights to residents of Bull Mountain as areas are annexed. These services will be funded through property taxes as they are for all Tigard citizens.
- *Equity* – Residents of unincorporated Bull Mountain enjoy many of the benefits of being in the Tigard community, such as parks and the City library without paying City property taxes. For example, all county property owners pay for library services through the Washington County Cooperative Library Services (WCCLS) levy. The city of Tigard receives only 53% of funding for library operations from WCCLS. The remaining 47% comes from the City's taxpayers.
- *Future Neighborhood Planning* – Once an annexation plan is adopted, the City of Tigard will involve the citizens of Bull Mountain together with the whole community to update the community plan to shape the future of Bull Mountain. The plan will address growth management, future infrastructure improvements and will include the new urban growth boundary expansion areas on the west side of Bull Mountain. How these areas develop will have an impact on the whole Tigard community, especially on the residents of Bull Mountain.

### *What is the schedule?*

*An annexation plan will be completed by mid October for City Council review. Once the annexation plan draft is accepted by City Council, the public will have an opportunity to review and comment on the plan. Opportunities to provide input include coffee talks, a community meeting, emails, a 24 hour hotline, and correspondence.*

- *A public hearing on the annexation plan is scheduled for December 2, 2003. The residents of Bull Mountain and the residents of Tigard will then have an opportunity to vote on the plan in 2004.*

*What is the annexation plan?*

*At its September 9<sup>th</sup> City Council meeting, the Tigard City Council passed a resolution to initiate the development of an Annexation Plan for the possible annexation of unincorporated Bull Mountain.*

*An Annexation Plan is a comprehensive approach to annexation identifying:*

- *The timing and sequence of annexing the area. The annexation plan could propose that the annexation of Bull Mountain be phased over a few years or all at once.*
- *The schedule for providing (urban) neighborhood services; what services will be provided and when.*
- *The effects annexation would have on existing service providers.*
- *The long term benefits of annexation; to Bull Mountain residents, existing city residents, and the service providers (city, county and special districts.)*

*Who is eligible to vote on the annexation plan?*

*Registered voters on Bull Mountain and in the City of Tigard are eligible to vote since the whole community would be affected.*

*How would the annexation of Bull Mountain affect my neighborhood services?*

*Residents of Bull Mountain would receive enhanced neighborhood services including increased law enforcement, park services, additional road maintenance services, and code enforcement. They would also gain a voice in local policy decisions through 5 elected officials, more opportunities to serve on city advisory committees, and as equal participants in the city's planning process for the expanded urban growth areas.*

*Inclusion of the Bull Mountain area would mean that existing Tigard residents would receive better coordinated infrastructure planning and improvements, including parks, sewers and roads, as well as consistent standards for development and code enforcement. Newly annexed property owners would pay their share of the new library building bond.*

How would the annexation of Bull Mountain affect my pocketbook?

For enhanced neighborhood services, residents of Bull Mountain would pay a net increase of \$1.6259 per 1,000 of assessed property value after the rate for ESPD and URMD has been subtracted) minus their individual annual street lighting district assessment (averaging \$35 -\$40 per year).

**NOTE - the assessed value is not the same as market value - consult your tax bill to obtain your assessed value and the current street lighting district assessment.**

Example - home with an assessed value of \$250,000

$\$200 \times \$1.6259 - \$35.00 = \$290.18$  per year or about \$24.19 per month.

Existing residents of Tigard would share the cost of providing the current level of services with Bull Mountain residents with no change in their taxes.

Would annexation of Bull Mountain change school district boundaries?

No, the school district boundaries would not change. Any change in local school attendance areas would continue to be decided by the appropriate school district.

What impact would annexation have on density and zoning?

The Bull Mountain Community Plan developed by Washington County with input from the CPO and adopted in 1983 assigned the current zoning designations for property on Bull Mountain. As has been the case for the last 20 years, changes in zoning designations on individual properties would only be made after a public hearing process.

What's next?

Opportunities to provide input on the annexation plan include coffee talks, a community meeting, emails to [BullMountain@ci.tigard.or.us](mailto:BullMountain@ci.tigard.or.us), calls to the 24-hour phone line 503 718 2799, or correspondence to Barbara Shields, Planning Manager, 13125 SW Hall Blvd., Tigard, Oregon 97223. A public hearing on Annexation Plan is scheduled for December 2.



# *Completing Our Community*

## *Q & A*

### *Parks*

How many public parks are on Bull Mountain?

There is one piece of property (Cache Creek) that is intended as a nature park because the purchase was funded entirely with Metro Greenspaces dollars.

Does the City of Tigard's Park Master Plan address Bull Mountain?

Tigard's Park Master Plan identifies the need and general location for 4 parks in the Bull Mountain area, one of which is Northview Park located at 12250 SW Northview Drive (south of Albertson's on Barrows Road).

Why doesn't the City of Tigard collect Systems Development Charges (SDC's) on new development on Bull Mountain for parks?

By law, the City can only collect SDC's on new development within the city limits.

Can Bull Mountain residents reserve City of Tigard park facilities?

Yes, but they will be charged a non-resident fee.

How many parks are available for active recreation in the City of Tigard?

There are 11 parks available for recreation throughout the city from small neighborhood parks to large regional parks. The newly constructed Bonita Park will be open for public use in fall 2003. The park will have a playground and basketball courts.

How many acres of public open space are there in the City of Tigard?

There are more than 300 acres of parks, greenways and natural areas in Tigard.

What is the City of Tigard's park standard?

Tigard's park standard is approximately 8 acres per 1000 residents.

What is Washington County's park standard?

The County does not provide local parks or have a parks standard.

## *Completing Our Community*

### *Q & A Roads*

Would road maintenance be different after annexation?

Yes. The City of Tigard sweeps all streets 12 times per year; the County sweeps only those streets with curb and gutter 12 times per year. The City does crack sealing every 4 years, the County every 7 years. The City does annual dust abatement; the County does not do dust abatement. The City's goal is to re-do hot plastic street markings annually: the County replaces street markings every 5 years. The City uses hot plastic for visibility on all street markings.

What road improvements would be made if Bull Mountain annexed into the City of Tigard?

Many roads in the area are new and will not require improvements for many years. The City has identified several roads that will need improvement; however most of the identified improvements would not be needed for 6 years or more.

Is the City of Tigard's Transportation System Plan consistent with Washington County's Transportation System Plan?

Yes, the City's Plan was coordinated with the County's. Bull Mountain Road and Roshak Road are identified as the main collector routes. In addition, 7 neighborhood routes are identified.

Are standards for road construction the same in the City and the County?

Roads built on Bull Mountain since 1997 are built to City standards which the County adopted for the Bull Mountain area. Roads built before 1997 may not meet City standards.

Who is responsible for road maintenance and would that change with annexation?

The County is currently responsible to maintain and improve roads in unincorporated Bull Mountain. Jurisdiction for roads would be transferred after annexation at a time identified in the annexation plan. The plan calls for roads to be transferred one year after annexation. The City of Tigard would then assume responsibility for maintenance and improvements.

September 12, 2003

Ellen Cooper, Assistant County Administrator  
Washington County  
155 N. First Avenue  
Hillsboro, OR 97123

Re: Parks Systems Development Charges – Bull Mountain

Dear Ellen,

On Tuesday evening, we discussed the status of the County's efforts to develop a Systems Development Charge (SDC) for unincorporated Bull Mountain. I mentioned to you at that time that the commitment that the City Council heard from the Board of County Commissioners was that a mechanism will be in place for collection of Parks Systems Development Charges as soon as the Tigard City Council takes a vote to place an issue on the ballot to annex Bull Mountain.

The Tigard City Council is likely to take action in December of this year. In the meantime, the County has a copy of our Parks SDC methodology to use as a starting point in development of an agreement with Tigard and a mechanism to collect the fees. It is my understanding that that work is in progress and we will be working with you soon to finalize the details.

Quarterly I have provided information to Charlie Cameron on the status of "lost" Systems Development Charge revenues from Bull Mountain. Please accept this letter as an update to that information. From June 1997 through June of 2003, 964 single-family and 83 multi-family dwelling unit permits were issued in Bull Mountain. We estimate that applying Tigard's Systems Development Charge to permit issuance at the time of permit generation would have yielded \$1.2 million. In the first two months of this fiscal year, 55 single-family permits were issued at a potential loss of \$96,085.00.

The building activity for the first two months of this fiscal year is running ahead of last year.

I hope this information is helpful to you as you develop the mechanism for a Systems Development Charge. Please let me know if you require additional information.

Sincerely,

William A. Monahan  
City Manager

## MEMORANDUM

### CITY OF TIGARD

---

TO: Mayor Griffith and City Council

FROM: Jim Hendryx, Community Development Director

DATE: September 26, 2003

SUBJECT: Discussion of Bull Mountain Annexation Plan Alternatives

The objective of this memo is to discuss the recommendations contained in *The Bull Mountain Annexation Plan* in the context of the overall analytical approach presented in *The Bull Mountain Public Facilities and Services Assessment Report* (June 2003) and Council discussions in July 2003.

Typically, annexation plans offer the option of phased, or incremental, annexations. In some instances, it may be more efficient to annex an entire area at one time. In other cases, a phased annexation allows the necessary time for service providers to hire enough staff and buy equipment.

Since the annexation plan approach allows for phased annexations, a number of combinations could be developed and proposed. However, three alternatives meet the criteria established in state law and the City's Comprehensive Plan, based on data collected during the 2003 Assessment Report.

This memo makes Council aware of these additional alternatives to fully inform Council of all viable annexation approaches.

#### **Analytical Approach**

*The Public Facilities and Services Assessment Report* examined nine sequencing options to identify the combinations which allowed the City to annex and efficiently serve the unincorporated Bull Mountain area. It also studied how timing (i.e., the year of annexation) affected service costs and the availability of capital improvement funds in the Plan Area.

Two evaluation factors were chosen based on Tigard Comprehensive Plan policies, which require annexations to 1) not significantly reduce service levels to the City of Tigard and 2) provide efficient service provision (no service islands or irregular boundaries). A third factor was also considered and that dealt with adjacency to the Urban Growth Boundary (UGB) expansion areas. Tigard is expected to serve these two areas. Each factor was weighted, based on the extent to which it implements those policies:

1) *Financial Impact*: Will this area be a financial drain on the City? Do service needs outpace tax dollars, and are there large capital improvements needed in the short term?

2) *Efficiency of service provision*: Is it easy to access this area, or will staff have to cross unincorporated areas to do so? Does it create islands of unincorporated areas? Is there an economy of scale?

3) *Adjacency to the new Urban Growth Boundary properties*, located to the south and west of the Plan Area. Metro approved these areas in December 2002. A future City link to these areas would enable long-term planning.

In summary, the analysis contained in *The Public Facilities and Service Assessment Report* lead to the basic conclusion that "...The more areas annexed, the higher the ranking due to an increase in efficiency. Annexing all areas at once ranked highest, due to economy of scale and its ability to support areas that ranked less highly...."

This basic conclusion was further influenced by the July 2003 Council discussion on annexation, which emphasized how time can impact service. The discussions focused on how a longer annexation period could provide better service to both new and existing residents by assuring service delivery and addressing the impacts ramping up to serve the City and the annexed area.

In short, the four-phase recommendation, discussed below, contained in *The Bull Mountain Annexation Plan* provides a proposal for transferring services and households to Tigard in an organized manner. It reflects Council's concern related to timing of each phase of annexations and the reduction in service levels.

The suggested sequence is based upon the numeric ranking identified in the Public Facilities and Services Assessment Report. However, given the minor difference in the ranking score identified in the assessment report between the South, East, and North, altering the sequence would not impact delivery of services or the City's ability to serve each one of these areas.

Altering the sequence of annexation would comply with the Comprehensive Plan policies. Initially starting with annexing the East, then South, North, and West would not significantly reduce service levels to the City, would provide efficient service provision, and would still provide for adjacency to the Urban Growth Boundary (UGB) expansion areas.

### **Summary of the Plan Recommendations**

In order to provide City service standards to annexed residents and maintain standards to current residents, the plan proposes to annex Bull Mountain in four phases:

**Phase 1 –2004.** Annex South. Next logical area due to location. Provides a connection to Urban Growth Boundary (UGB) expansion site 63.

**Phase 2 –2005.** Annex East. Brings in the area that is closest in proximity to the City and the least developed. Maximizes potential financial contributions by new development toward capital improvements.

**Phase 3 – 2006.** Annex North. Allows the City to begin developing its parkland and makes a connection to Urban Growth Boundary (UGB) expansion site 64.

**Phase 4 – 2007.** Annex West. Final area; also has connection to Urban Growth Boundary (UGB) expansion site 64.

However, there are two other alternatives for Council's consideration. These alternatives also provide organized and efficient methods of annexation, although each take a different approach to sequencing and service provision:

**Alternative 1. Annex the entire Plan Area at one time prior to 2005.**

This option provides the greatest efficiency due to an increased economy of scale, captures the most capital improvement dollars for future improvements, and facilitates comprehensive planning for future growth. However, an all-areas annexation depends on two conditions: 1) Initiate police hiring process prior to annexation, and 2) delay transfer of roads and streets until one year after annexation. Service delivery to existing and new residents would not be significantly lessened.

If those conditions cannot be met, the annexation should be phased.

**Alternative 2. Two Phases: 2004 and 2005**

The Public Facilities and Services Assessment Report not only ranked sequential annexations of individual areas, but combinations of areas. Drawing upon efficiency of services and economy of scale led to a two-phase annexation approach.

**Phase 1: Annex East and North areas in 2004.** East would be included in first phase due to impending development. East has less facilities and service needs due to its limited development; it would impact Public Works (Streets) less than a more developed area like the South. North would eliminate the current island of Fern Street and provide a link to Site 64 in the UGB area, and includes City-owned parkland. City boundaries are expanded in a logical manner that does not create inefficient islands of unincorporated areas.

**Phase 1 Conditions of Annexation:**

- Provide all services upon annexation except road and street maintenance.
- Begin hiring for police services upon approval of annexation by the voters.
- Begin process to transfer roads and streets to City within 30 days after annexation effective date, and complete within one year. Start hiring and acquiring equipment for street maintenance. Begin service upon completion of transfer.
- Following annexation and within the first year, Tigard would initiate capital project planning for Parks and Open Space: master planning for Cache Creek Nature Park; exploration of additional park opportunities adjacent to Cache, including the Tigard Water District reservoir property and the Clute property. Develop a playground either on Cache Creek or adjacent property. Maintenance begins once parklands are bought and developed.
- Initiate long-range planning. Begin comprehensive plan to guide future growth for a united Bull Mountain and Tigard community.

**Phase 2: Annex South and West areas in 2005.** Annexing all areas by 2005 maximizes the amount of funds available for capital improvements. It also coincides with planning for the Urban Growth Boundary (UGB) expansion areas. By dividing the annexation into phases, and delaying the most populous area (South), the streets department would have time to ramp up staff and equipment to service the entire area. In order to provide City service standards to annexed residents and maintain standards to current residents, the plan proposes the following:

**Phase 2 Conditions of Annexation:**

- Provide all services upon annexation except road and street maintenance.
- Begin hiring and equipment procurement for police services six months prior to annexation effective date.
- Begin process to transfer roads and streets to City within 30 days after annexation effective date, and complete within one year. Begin service upon completion of transfer.

**Draft Bull Mountain Annexation Plan Recommendations**

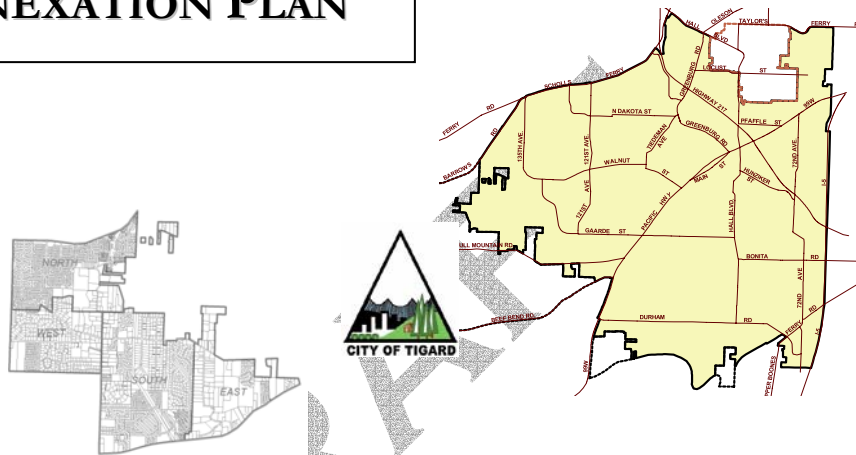
Upon Council's direction, staff will finalize the sequencing that could occur with the Bull Mountain Annexation Plan. The Bull Mountain Annexation Plan will be revised to reflect Council's direction.

As discussed above, altering the sequence of annexation would comply with the Comprehensive Plan policies. Initially starting with annexing the East, then South, North, and West would not significantly reduce service levels to the City, would provide efficient service provision, and would still provide for adjacency to the Urban Growth Boundary (UGB) expansion areas.

**Summary**

Since the annexation plan approach allows for phased annexations, a number of combinations could be developed and proposed. However, three alternatives meet the criteria established in state law and the City's Comprehensive Plan, based on data collected during the 2003 assessment report. This memo makes Council aware of these additional alternatives to fully inform Council of all viable annexation approaches.

# THE BULL MOUNTAIN ANNEXATION PLAN



# A STEP TOWARD COMPLETING

## OUR COMMUNITY

*CITY OF TIGARD*

*DRAFT*

*SEPT. 26, 2003*



**T H E B U L L M O U N T A I N**  
**A N N E X A T I O N P L A N**

**OCTOBER 2003**

**PRODUCED BY:**

**THE CITY OF TIGARD**

**IN COLLABORATION WITH WASHINGTON COUNTY**

CITY OF TIGARD  
13125 SW HALL BLVD.  
TIGARD, OR 97223  
503/639-4171

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- *The Facilities and Public Services Assessment Report for the Bull Mountain Area, 2003.*

## **EXECUTIVE SUMMARY**

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Twenty years ago, Washington County and the City of Tigard laid the groundwork for Bull Mountain's inclusion in Tigard's city limits (annexation). Although cattle and farms shared the mountain at that time, the County and City recognized that the area's inclusion within the Urban Growth Boundary would eventually lead to urban development. State land-use planning goals require the UGB to contain a 20-year supply of land, and, when conditions warrant, lands within the boundary must be available for urban uses. Washington County and Bull Mountain residents developed the 1983 Bull Mountain Community Plan, which assigned urban densities to the area but did not provide for all urban services.

However, statewide planning Goal 14 directs local governments to have a plan in place to allow for an orderly and efficient transition from rural to urban uses. In 1983, the County and City signed the Urban Planning Area Agreement (UPAA). The UPAA established Bull Mountain as part of the City's planning area and paved the way for the County and City to jointly serve the area. At the same time, the City's long-term vision for land-use and development in Tigard (the Comprehensive Plan) encouraged the annexation of all unincorporated areas. The City acknowledged that it should provide urban services to its own citizens - once areas require urban services, residents should receive all the benefits of citizenship, including representation.

Today, Bull Mountain has grown beyond its rural roots, and become an urbanized area with streets, sidewalks, and urban service needs. Farms have been largely replaced by subdivisions built at the same densities as adjacent Tigard neighborhoods. Urban areas need urban service providers – and cities, not counties, are best equipped to provide urban services. Over time, the needs of an urban area will outpace a non-urban provider's service capabilities.

There are approximately 7,600 residents living in 2,600 homes on the mountain's 1,378 unincorporated acres. Development of the remaining land to existing zoning standards would raise the overall population to just under 10,000. This additional growth will require additional facilities and services. Without annexation, the City has limited ability to plan for, provide for, and manage growth outside its City limits to ensure that efficient and effective public facilities and services are available when needed. Annexation would allow the City to plan for growth on Bull Mountain with an updated comprehensive plan for the entire community.

The Tigard City Council established a goal in 2001 to develop an annexation policy/strategy for unincorporated areas. From 2001-2003, the City has thoroughly examined annexation and urban service issues for Bull Mountain. *The Bull Mountain Annexation Plan* builds upon these efforts and proposes an annexation strategy. It addresses the how, when, where and who of annexation. State law created the annexation plan process as a growth management tool for jurisdictions: the plan must address criteria related to urban service provision to the Plan Area, and is a pre-requisite for an annexation vote by the annexing city and Plan Area.

**Recommendation**

Using existing service agreements among agencies, cost-benefit analyses, and the 2003 *Public Facilities and Services Assessment Report for the Bull Mountain Area* recommendations, the plan addresses all criteria set forth by state law ORS195: the provision (how and when) of urban services, annexation's impact on existing providers, the timing and sequence of annexation, and the plan's long-term benefits. The plan also follows Tigard Comprehensive Plan policies, which require a review to determine that services will be available to the annexed area and their provision will not significantly reduce service levels to the City of Tigard. Based on these criteria and previous research, the plan provides a proposal for transferring services and households to Tigard in an organized and efficient manner.

In order to provide City service standards to annexed residents and maintain standards to current residents, the plan proposes to annex Bull Mountain in four phases:

**Phase 1 – 2004.** Annex South. Next logical area due to location. Provides a connection to Urban Growth Boundary (UGB) expansion site 63.

**Phase 2 – 2005.** Annex East. Brings in the area that is closest in proximity to the City and the least developed. Maximizes potential financial contributions by new development toward capital improvements.

**Phase 3 – 2006.** Annex North. Allows the City to begin developing its parkland and makes a connection to Urban Growth Boundary (UGB) expansion site 64.

**Phase 4 – 2007.** Annex West. Final area; also has connection to Urban Growth Boundary (UGB) expansion site 64.

It must be noted that annexations will occur in the Plan Area with or without an annexation plan. Currently, annexations occur at the owner's request, resulting in a piecemeal approach to incorporation. In contrast, *The Bull Mountain Annexation Plan* provides a comprehensive strategy for annexation. Long-term planning offers long-term benefits, including certainty of future incorporation, enhanced efficiency, and quantified costs and benefits – which provide certainty to Tigard residents that annexation will not impact their service levels. Financially, it captures more capital improvement dollars for parks and roads, and more funds to enhance capital facilities – such as the library and parks – currently used by both Bull Mountain and Tigard residents but paid for by Tigard residents.

Bull Mountain residents would receive park services, local representation, and urban services by an urban provider who can meet the needs of a growing community. Lastly, annexation would unify the community, as both the city and Bull Mountain residents can plan together for their future, a future joined together 20 years ago. In sum, *The Bull Mountain Annexation Plan* presents a clear and efficient approach to annex unincorporated Bull Mountain and a step toward completing our community.

## **I. INTRODUCTION**

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Twenty years ago, Washington County and the City of Tigard laid the groundwork for Bull Mountain's annexation to Tigard. Although cattle and farms shared the mountain at that time, the County and City recognized that the area's inclusion within the Urban Growth Boundary would eventually lead to urban development. State land-use planning goals require the UGB to contain a 20-year supply of land, and, when conditions warrant, lands within the boundary must be available for urban uses. Washington County and Bull Mountain residents developed the 1983 Bull Mountain Community Plan, which assigned urban densities to the area but not urban services.

However, state planning Goal 14 directs local governments to have a plan in place to allow for an orderly and efficient transition from rural to urban uses. In 1983, the County and City signed the Urban Planning Area Agreement (UPAA), which established Bull Mountain as part of the City's planning area and paved the way for the County and City to jointly serve the area. At the same time, the City's long-term vision for land-use and development in Tigard (the Comprehensive Plan) encouraged the annexation of all unincorporated areas. The City acknowledged that it should provide urban services to its own citizens - once areas require urban services, residents should receive all the benefits of citizenship, including representation.

Today, Bull Mountain has grown beyond its rural roots, and become an urbanized area with streets, sidewalks, and urban service needs. Over time and additional agreements, Tigard has absorbed more services toward an eventual annexation, blurring the line between County and City. However, major services remain under the County's purview, as does jurisdiction. Without annexation, the City has limited ability to manage growth outside its city limits to ensure that efficient and effective public facilities and services are provided.

Since 2001, when the Tigard City Council established a goal to develop an annexation policy/strategy for unincorporated areas, the City has thoroughly examined urban service issues for Bull Mountain: *The Bull Mountain Annexation Study* (2001), which examined the costs and benefits of annexation; a public opinion survey of Tigard and Bull Mountain residents on annexation (2002); *The Public Facilities and Services Assessment Report for the Bull Mountain Area* (2003), which evaluated the factors affecting long-term service provision to Bull Mountain, including annexation.

The 2003 Assessment Report demonstrated that annexation would serve citizens the most efficiently and effectively over the long-term, providing urban levels of services to an area that has grown from a rural community to an urban neighborhood. In addition, annexation would allow the City to plan for Bull Mountain's future. Currently, unincorporated areas cannot collect parks system development charges (SDCs) from new developments or plan for parks, and the County has jurisdiction over the area's long-range planning. Annexation would allow the City to plan for growth on Bull Mountain with an updated comprehensive plan for the entire community. As citizens of Tigard, Bull Mountain residents would have a say on local issues that affect their community's future.

*The Bull Mountain Annexation Plan* represents a significant step toward the realization of an united Tigard and Bull Mountain community. The plan lays out a blueprint for annexation as required by state law ORS195.205 and .220, which established the annexation plan process.

It addresses the how, when, where and who of annexation, but in essence, the plan is a proposal for transferring services and households to Tigard in an organized and efficient manner. It is based upon existing service agreements among agencies and cost-benefit analyses, and addresses the following, per state law ORS195.220:

- a) Local standards of urban service availability required as a precondition of annexation;
- b) The planned schedule for providing urban services to the annexed territory;
- c) The timing and sequence of annexation;
- d) The effects on existing urban services providers;
- e) The long-term benefits of the annexation plan.

The plan examines each criterion separately. Each section offers a brief explanation of the criterion and follows with text based on the City's previous research (*The Public Facilities and Services Assessment Report for the Bull Mountain Area*, 2003) and recent analysis produced by the City and County for this plan. Appendix A contains a glossary of planning terms used in this document. Technical Document B (available separately) contains copies of previous Bull Mountain reports.

## A) THE ANNEXATION PLAN AREA: BOUNDARIES

The Annexation Plan applies to the unincorporated area of Bull Mountain ("Plan Area"). It is bounded on the north by Barrows Road, on the east by Tigard city limits, to the south by Beef Bend Road, and on the west by the new Urban Growth Expansion Areas (Roy Rogers Road and 150<sup>th</sup> Ave.). (See Map 1 on page 3).

The land in the Plan Area is sloped—steeply in some areas—allowing for views at higher elevations. There is no commercial or industrial zoned land. Most of the property is zoned R-7, as designated in the Bull Mountain Community Plan, a medium-density residential zone requiring minimum lots sizes of 5,000 square feet. The area consists of a combination of 1) a mix of larger undeveloped lots, 2) larger lots developed through the County under different standards, and 3) smaller lots that are built to the minimum density allowed under the current zoning regulations.

### Subareas and Population Estimates

The Plan Area comprises 1,378 acres,<sup>1</sup> with approximately 7,600 residents living in 2,600 homes. The numbers are 2003 estimates based on Census 2000 figures and average growth rates.<sup>2</sup> This is consistent with the assessment report methods, with the exception of deducting four annexations that took place from late 2001 to 2003.<sup>3</sup>

Due to the area's size, it has been divided into four subareas: North, West, South and East. These subareas were developed

Table 1. 2003 Estimates

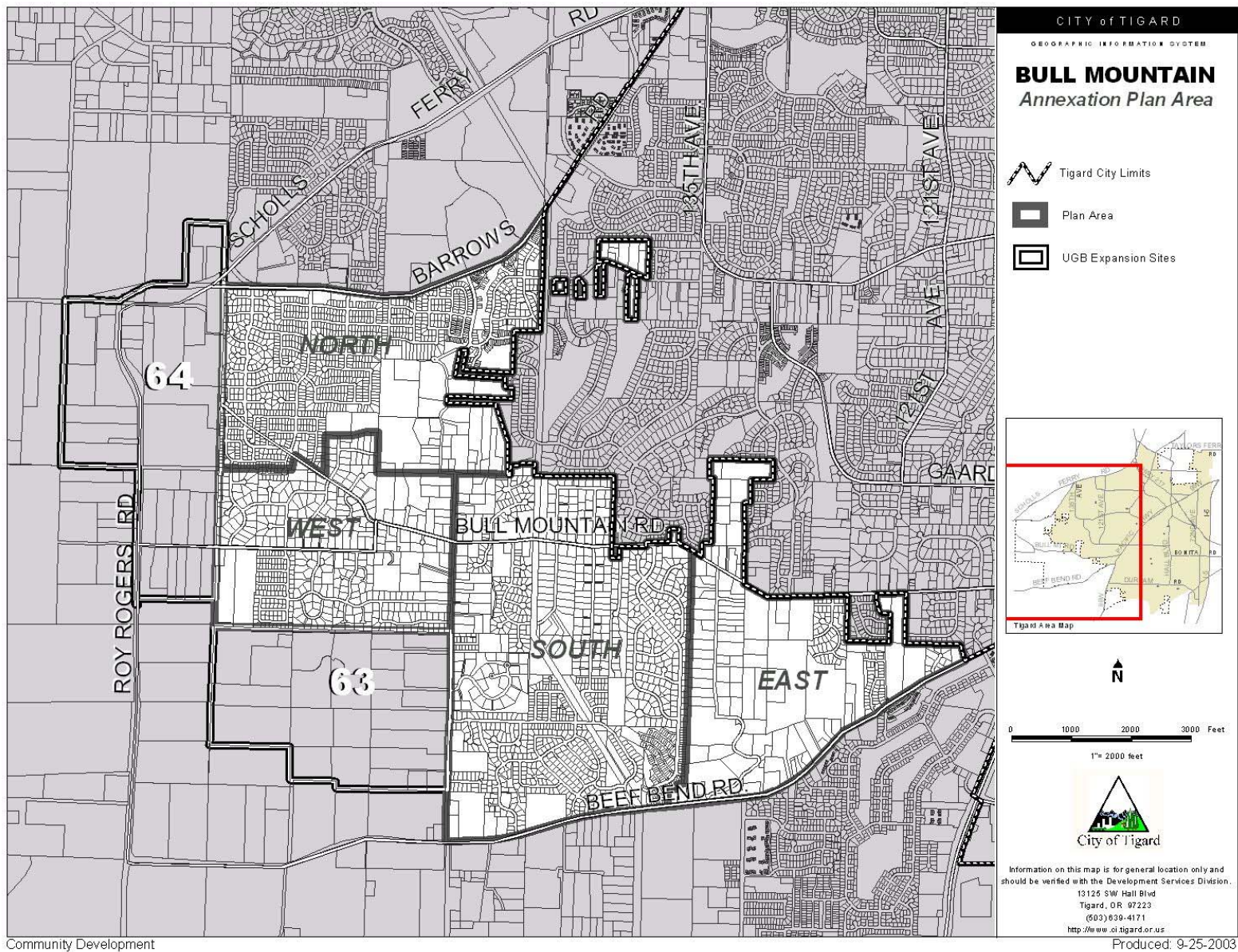
|  | Homes | Population |
|--|-------|------------|
| North                                    | 991   | 2930       |
| West                                     | 346   | 982        |
| South                                    | 1174  | 3259       |
| East                                     | 167   | 452        |
| Total                                    | 2678  | 7622       |
| Based on census 2000/average growth rate |       |            |

<sup>1</sup> Differs from the 2001 study due to four annexations: Pacific Crest, Fern Street, Thornwood, Daffodil Hill.

<sup>2</sup> The numbers here (7,622 and 2,678) reflect **2003** projected population and deduct for annexations, differing from *The Bull Mountain Study* and *Public Facility and Services Assessment Report* numbers.

<sup>3</sup> Appendix A contains a full description of all adjustments.





Community Development

Map 1.

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based on development patterns, topography, and man-made boundaries, such as major roads. The South area has the most homes and population, with North close behind. East has the least number of homes and people (Table 1).

### Future Projections

Future projections were estimated by calculating the number of new homes the area could potentially absorb at current zoning (R-7, or 5,000 sq. ft. lots), and taking half to allow for moderate development.<sup>4</sup> Based on these estimates, East has the largest share of future growth, due to large, undeveloped lots (Table 2). The remaining subareas have more developed subdivisions and few vacant lots, and have limited growth remaining.

*The Public Facilities and Services Assessment Report* (2003) used these numbers to approximate service needs, costs, and associated revenues.<sup>5</sup> The condition and number of roads, current condition of facilities, current and future population/homes, and year of development affected each subarea's needs. The Annexation Plan analysis is based upon the 2003 report conclusions and additional refinements to the report data.

**Table 2.** Moderate Growth  
(Estimated capacity)

|  | Homes       | Population  |
|--|-------------|-------------|
| North  | 1130        | 3331        |
| West   | 496         | 1439        |
| South  | 1317        | 3724        |
| East   | 650         | 1356        |
| <b>Total</b>   | <b>3593</b> | <b>9850</b> |
| <small>Based on formula from 2001 Study; revised for annexations that occurred since 2001.</small> |             |             |

<sup>4</sup>Based on vacant or underdeveloped lots. A moderate scenario was assumed due to the uncertainty of the land market – not every owner will fully develop each vacant or underdeveloped parcel.

<sup>5</sup> The 2003 *Report* did not deduct for annexations; the change did not significantly affect this analysis.



## II. ANNEXATION PLAN CRITERIA

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In 1993 the State Legislature established the annexation plan approach to make annexation an effective growth management tool for jurisdictions. Annexation plans require fiscal and territorial coordination between service providers, encourage the creation of long-term master plans, address the economic viability of special districts, and clarify the costs and benefits of annexation.<sup>6</sup>

Specifically, state law ORS195.220 requires annexation plans to include the following:

- a) Local standards of urban service availability required as a precondition of annexation;
- b) The planned schedule for providing urban services to the annexed territory;
- c) The timing and sequence of annexation;
- d) The effects on existing urban services providers;
- e) The long-term benefits of the annexation plan.

### What is an Urban Service?

ORS195 defines “urban services” as sanitary sewers, water, fire protection, parks, open space, recreation, streets, roads and mass transit. *The Bull Mountain Annexation Plan* considers four additional services as essential elements for an urban community: police, storm sewer, building and development services, and street light maintenance.

### City of Tigard Annexation Criteria

The City’s Community Development Code criteria for annexations are consistent with ORS195.220. The Code (Title 18) states that the decision to annex property to the City shall be based on 1) all services and facilities being available to the area, and with sufficient capacity to provide service; and 2) satisfying all Comprehensive Plan policies.

Tigard’s Comprehensive Plan policies require a review to determine that services will be available to the annexed area and their provision will not significantly reduce service levels to the City of Tigard. The City’s Comprehensive Plan also encourages annexations that eliminate existing unincorporated ‘islands,’ and discourages expansions that result in irregular boundaries.

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<sup>6</sup> From Department of Land Conservation and Development; <http://www.lcd.state.or.us/tgm/pub/3annex.htm>.

## A. LOCAL STANDARDS OF URBAN SERVICE AVAILABILITY

*An annexation plan adopted under ORS 195.205 shall include*  
**Local standards of urban services required prior to annexation and the availability of each service**

### Level of Urban Services

The annexation plan process emphasizes coordination between service agencies to identify and address any service deficiencies early in the process, assuring that services can be provided to local standards after annexation. Prior to the plan, state law requires urban service agreements between all service providers in the affected territory. By taking this step first, agencies resolve future service provision issues and lay groundwork for the plan.

In February 2003, Washington County, the City of Tigard, other agencies and service districts finalized the Tigard Urban Service Agreement (TUSA) for the Bull Mountain area (Appendix D). In sum, all urban services are available for the Plan Area except recreation.<sup>7</sup> The agreement determines long-term service providers: the City of Tigard is the ultimate service provider for the Plan Area, except for services provided by special districts and agencies. Table 3 summarizes changes in local service standards between current and future providers.

### Urban Service Requirements Prior to Annexation

Table 3 demonstrates that City of Tigard standards offer higher levels of service for parks and open space, street maintenance, police, and long-range planning. Of those services, parks will require action by the County prior to annexation. Road quality maintenance also will require action per the Tigard Urban Service Agreement (TUSA). County action will allow the City to provide its standard of service following annexation. All other services will require only staffing and equipment to meet local service standards as summarized below. The specifics are addressed in section IIB.

### *Road Quality Maintenance*

- County improves roads so that all individual roads have a pavement condition index (PCI) of 40 or greater and the average PCI of streets and roads in the area is 75 or higher.

### *Parks and Open Space*

- County collects parks system development charges (SDCs) for new development prior to annexation. Upon annexation, those funds will transfer to Tigard and be used toward new facilities.

#### Summary: Criteria 1 (Local Standards of Urban Service Availability)

- ☒ *All services except recreation are available to the Plan Area.*
- ☒ *Providers for each urban service are established, per urban service agreements.*
- ☒ *Local standards of urban service are identified.*
- ☒ *Where applicable, identified steps needed by the County to meet local standards prior to annexation.*

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<sup>7</sup> Neither Washington County nor Tigard provide this service at this time. However, Tigard has a Park and Recreation Advisory Board that can examine the issue in the future.

---

**Table 3. Bull Mountain: Service Standard Changes Following Annexation**

| No Change: Service and Provider Remain the Same                                       |  |   |
|---|--|---|
| Service   | Provider after Annexation  | Do Local (Tigard) Standards differ from Current Standards?  |
| Fire Protection & Emergency Services  | Tualatin Valley Fire and Rescue  | No  |
| Mass Transit  | TriMet   | No.   |
| Building and Development Services   | City of Tigard   | No. Tigard now provides these services for Plan Area through an agreement with Washington County. The agreement will cease but Tigard continues same services.  |
| Recreation  | No provider. Tigard does not provide recreation services.  | No. Not currently provided. However, Tigard has a Park and Recreation Advisory Board that can examine the issue in the future.  |
| Schools   | Annexation does not change school district boundaries.   |   |
| Service Remains the Same, Provider Changes  |  |   |
| Sanitary Sewer (Clean Water Services)   | City of Tigard   | No.   |
| Water (Tigard Water District)   | City of Tigard   | No.   |
| Street Light Maintenance (Washington County)  | City of Tigard   | No.   |
| Storm Sewer (Clean Water Services)  | City of Tigard   | No.   |
| Road Quality Maintenance* (Washington County) (*Actions to maintain pavement quality) | City of Tigard.  | No. However, the Tigard Urban Service Agreement (TUSA) requires the County to improve individual roads to a pavement condition index (PCI) of at least 40, with all roads averaging at least 75, prior to transferring the roads and service. |
| Service Changes, Provider Changes   |  |   |
| Parks and Open Space (NONE)   | City of Tigard. Washington County does not provide these services to unincorporated areas.   | Yes; 8 acres/1,000 people.  |
| Street Maintenance – (Washington County through the Urban Road Maintenance District)  | City of Tigard   | Yes. Mowing roadside grass and brush (strip and ditch line). Dust abatement on graveled roads. Vegetation removal for vision clearance. Crack sealing and road shoulders on 4-year cycle.   |
| Police (Washington County Enhanced Sheriff Patrol District)                           | City of Tigard   | Yes. Additional .5 officers/1000 people (city standard is 1.5 officers/1000).   |
| Community Development – Long Range Planning (Washington County).                      | City of Tigard. This includes comprehensive planning, such as master plans. The 1983 Bull Mountain Community Plan is the operative plan Washington County has for the Plan Area. | Yes. Staff serves smaller area than County; focuses on local projects. Annexation will allow the City to plan for growth on Bull Mountain with an updated comprehensive plan for the entire community.  |

## B. SCHEDULE FOR PROVIDING URBAN SERVICES

*An annexation plan adopted under ORS 195.205 shall include*  
**The planned schedule for providing urban services to the annexed territory.**

As shown in section IIA, the Plan Area receives most urban services today, some of which will be provided at higher standards after annexation. All services would be available upon annexation, due to the continuation of existing services per the Tigard Urban Service Agreement (TUSA).

To ensure smooth transitions, this section identifies when providers would transfer services. The following analysis reviews staff and equipment needs and evaluates where gradual provider transitions will best serve the Plan Area, are dictated by the TUSA, or are required to maintain existing service levels to current City of Tigard residents. *The Bull Mountain Annexation Plan* defines the annexation effective date (“upon annexation”) as the day properties become part of Tigard’s tax rolls (July 1; the first day of the new fiscal year following an approval by voters).

### **Equipment and Staff Needs**

For *The Public Facilities and Services Assessment Report*, City of Tigard staff from all affected departments projected start-up costs, needs, and ability to serve the entire Bull Mountain area or individual areas upon annexation. Each department based its analysis on current population and housing unit estimates, future service needs at build-out, and service standards.

All departments – except for Public Works (Streets Division) and Police – concluded that they could absorb any or all subareas using current resources, and without significantly reducing services to existing residents.

The Public Works and Police departments concluded the following:

- **Public Works.** Annexation of the Plan Area would increase the road mile inventory by 23%. The Streets Division could not absorb the entire Plan Area’s roads and streets upon annexation without hiring two employees and purchasing three trucks immediately:
- **Police.** Police could absorb all or any subareas with existing resources; however, there would be a temporary reduction in response time to Priority Three calls (lowest priority, no one in danger; i.e., car prow) within a few minutes. Citizens would not see a difference, and the change would not endanger lives. Internal shifts would occur to fully staff patrols until additional officers could be hired and fully trained.
- **Police.** The entire Plan Area requires 11 police officers, 1 supervisor, and 1 support staff. New officer hiring procedures established in 2003 now reduce the time needed to six months, as recruiting time has been significantly shortened by maintaining an applicant pool. It would take less than a year for the department to complete its staffing needs, hiring two phases of new officers at three-month intervals, without significantly reducing services to existing residents.

A detailed plan and schedule for hiring staff and purchasing or transferring equipment from Washington County will be developed by February 2004, as required by the TUSA.

### Agreement Provisions

The TUSA includes separate agreements for each service. For those services transferring to Tigard, the agreements state “upon annexation”; however, roads and streets can be transferred up to one year following annexation. The sewer agreement defers to a separate operating agreement between the City and Clean Water Services. The operating agreement transfers sanitary and storm sewer maintenance to the City on July 1, 2004. The agreement covers an area including Tigard and Bull Mountain, and includes provisions for equipment and funding. Annexation does not affect the transfer or provision of services.

### Proposed Schedule for Tigard Assuming Urban Services

A thorough consideration of TUSA requirements, Bull Mountain’s service needs, and the effects on existing services to Tigard residents suggests the following schedule:

**Table 4. Proposed Schedule for Tigard to Provide Urban Services**

| <b>Immediately Upon Annexation</b>   |
|--|
| Building and Development Services (already provided)<br>Parks and Open Space — Bull Mountain receives resident privileges for City parks<br>Police<br>Sanitary and Storm Sewer (provided by Tigard effective July 1, 2004)<br>Street Light Maintenance<br>Water  |
| <b>Within 1<sup>st</sup> year</b>  |
| <ul style="list-style-type: none"> <li>• <b>Parks and Open Space</b> — Initiate Capital Project planning for Cache Creek Nature Park. Explore additional park opportunities adjacent to Cache, including the Tigard Water District reservoir property and the Clute property. Develop a playground either on Cache Creek or adjacent property. Maintenance begins once parklands are bought and developed.</li> <li>• <b>Road Quality Maintenance and Street Maintenance:</b> Within 30 days of annexation, the City will initiate the process to transfer jurisdiction of County and public streets and roads, including local streets, neighborhood routes, collectors and other roads. This transfer should take no more than one year from effective date of the annexation. Services will commence with full transfer.</li> <li>• <b>Long-Range Planning</b> — Annexation will allow the City to plan for growth on Bull Mountain with an updated comprehensive plan for the entire community.</li> </ul> |

#### Summary: Criteria 2 (Schedule for Providing Urban Services)

- ☒ City of Tigard can serve the Bull Mountain area without a significant reduction in service to Tigard residents.
- ☒ City of Tigard will assume all services upon annexation, except Road Quality and Street Maintenance.
- ☒ City of Tigard will initiate transfer of roads and streets within 30 days of annexation, serving the area within one year.
- ☒ Following annexation and within the first year, Tigard will initiate capital project planning for Parks and Open Space and long-range planning.
- ☒ Police can serve the entire area without a significant reduction in service. Until additional staff is hired

DRAFT

## C. TIMING AND SEQUENCE

*An annexation plan adopted under ORS 195.205 shall include  
Timing and Sequence of Annexation*

Annexation plans offer the option of phased, or incremental, annexations. In some instances, it may be more efficient to annex an entire area at one time. In other cases, a phased annexation allows the necessary time for service providers to hire enough staff and buy equipment.

*The Public Facilities and Services Assessment Report* examined nine sequencing options to identify the combinations which allowed the City to annex and efficiently serve the unincorporated Bull Mountain area.. It also studied how timing (i.e., the year of annexation) affected service costs and the availability of capital improvement funds in the Plan Area.

### Sequencing

#### *Factors*

The assessment report examined annexing subareas alone, in contiguous pairs (i.e., West and North); and all areas at once. Three evaluation factors were chosen based on Tigard Comprehensive Plan policies, which require annexations to 1) not significantly reduce service levels to the City of Tigard and 2) provide efficient service provision (no service islands or irregular boundaries). Each factor was weighted, based on the extent to which it implements those policies:

- 1) *Financial Impact*: Will this area be a financial drain on the city? Do service needs outpace tax dollars, and are there large capital improvements needed in the short term? (45 points)
- 2) *Efficiency of service provision*: Is it easy to access this area, or will staff have to cross unincorporated areas to do so? Does it create islands of unincorporated areas? Is there an economy of scale? (30 points)
- 3) *Adjacency to the new Urban Growth Boundary properties*, located to the south and west of the Plan Area. Metro approved these areas in December 2002. A future city link to these areas would enable long-term planning. (20 points)

An additional category was also included to capture additional considerations, such as publicly owned land with park potential, that didn't fit into the three main categories (5 points).

#### *Ranking*

The evaluation matrix ranked the nine options (the full evaluation matrix is located in Appendix E), concluding the following:

- The more areas annexed, the higher the ranking due to an increase in efficiency. Annexing all areas at once ranked most highly, due to economy of scale and its ability to support areas that ranked less highly.
- The contiguous pairs were ranked the next highest, followed by all individual subareas, with the exception of West. In every combination except all areas, West ranked low since it does not connect to City boundaries.



*Consider Available Resources*

The plan recommendation must also consider comments by individual service providers regarding their ability to serve the area upon annexation, per the Comprehensive Plan. As detailed in section 2B, all service providers except for Public Works (Streets Division) and Police could absorb any or all subareas with current resources.

- Public Works (Streets Division) requires additional resources to serve the entire area upon annexation. Six months prior to assuming services, the department would require two additional staff and three trucks. Annexing without these resources would reduce services, including street light clearance pruning, crack sealing, and postponement of speed humps, unless the area was annexed in two phases.

Since the assessment report's completion, Public Works has indicated that a one-year delay in transferring roads and streets (as the TUSA allows) would give the department time to obtain resources.

- Police can serve Bull Mountain and the City of Tigard with current staff, resulting only in a reduction in Priority Three (lowest priority) call response times. The response time would vary within minutes, and citizens would not see a difference. Internal shifts would occur to fully staff patrols until additional officers could be hired and fully trained. The department will need to hire 11 additional officers, 1 supervisor, and 1 support staff.

The *Public Facilities and Service Assessment Report* concluded that delaying the effective date of annexation by up to a year would allow hiring and training of police staff and purchase of new equipment. However, since the report was completed, Police made two additional statements: all-areas annexation would provide an advantageous economy of scale: 1) a larger department can provide more services and reduced response times; and 2) a phased annexation would reach the same goal, but tax existing resources less and result in a higher quality of service in the interim.

*Conclusion: Phase the annexation.*

**Timing**

The assessment report examined how timing (i.e., the year of annexation) affects the availability of capital improvement funds and general revenues in the Plan Area.

*Capital Improvement Funds*

Funding for capital improvements, such as major road improvements, parks, and sanitary and storm sewer, are partially funded by system development charges (SDCs) paid by new development. SDCs act as growth management tools by helping pay for system improvements, such as roads and parks, needed as population and households increase.

In the Plan Area, SDCs are collected for storm and sanitary sewer, roads (the traffic impact fee or TIF), and water. However, Washington County does not collect parks SDCs in the Plan Area or provide parks services. Because SDCs are one-time charges applied to new developments, each new home built without SDCs represents lost revenue.

Once the County initiates a parks SDC for the Plan Area, and following annexation, SDCs would be collected and directed into City projects. The City of Tigard collects parks SDCs within its city limits, which are used for developing new parks. Without a parks SDC, delaying annexation impacts the City's ability to address Bull Mountain's parks capital needs. Each incremental delay lessens contributions – or eliminates them entirely in some subareas (new developments have been built). Based on recent development trends, the assessment report recommended that annexation of all areas should occur by 2005 to maximize potential financial contributions.

*Conclusion: Annex all areas by 2005.*

### **Timing and Sequencing Recommendation:**

Based on the timing and sequencing conclusions above, the Comprehensive Plan criteria, and *Public Facilities and Services Assessment Report*, the most efficient recommendation would annex the entire Plan Area at one time prior to 2005. In the assessment report, this option ranked the most highly due to an economy of scale. However, it requires the authorization of police hiring prior to annexation, and a delay in the transfer of roads and streets until one year after annexation. Applying the July 2003 City Council annexation discussion, which emphasized how time can impact service; in particular, how a longer annexation period could provide better service to both new and existing residents, does not support this option.

**Phase 1 – 2004.** Annex South. Next logical area due to location. Provides a connection to Urban Growth Boundary (UGB) expansion site 63.

**Phase 2 – 2005.** Annex East. Brings in the area that is closest in proximity to the City and the least developed. Maximizes potential financial contributions by new development toward capital improvements.

**Phase 3 – 2006.** Annex North. Allows the City to begin developing its parkland and makes a connection to Urban Growth Boundary (UGB) expansion site 64.

**Phase 4 – 2007.** Annex West. Final area; also has connection to Urban Growth Boundary (UGB) expansion site 64.

#### **Summary: Criteria 3 (Timing and Sequence)**

- ☑ *The more areas annexed, the higher the ranking due to an increase in efficiency.*
- ☑ *Based on department resource needs, the annexation needs to be phased.*
- ☑ *To fund future capital improvements, annexation should occur by 2005.*
- ☑ *City Council supports an option that takes more time, therefore providing better service to both new and existing residents.*
- ☑ *Therefore, annex Bull Mountain in four phases to provide City service standards to annexed residents and maintain standards to current residents.*

## D. EFFECTS ON CURRENT PROVIDERS

*An annexation plan adopted under ORS 195.205 shall include*  
**The effects on current urban services providers**

Previous sections evaluated the City of Tigard's ability to provide urban services to the Bull Mountain area. However, the service providers that cease serving the area would also be affected. This section examines the impact of withdrawing the Plan Area from current service districts, both on service quality and finances. Table 3 on page 7 provides a summary of service provider changes. The following information was developed in coordination with Washington County and the Tigard Water District, and is based upon estimated 2003 population and housing units (Table 1).

### Washington County

#### **Service Districts**

Washington County reviewed how annexing the Plan Area would impact County services and the services of its special districts. It determined that there will be no significant impact on these services.

#### *Enhanced Sheriff's Patrol District (ESPD)*

The ESPD is funded with a two-tiered financing plan that includes a permanent rate of \$0.6365 per \$1,000 and a local option dollar levy of \$6,150,000 per year for five years. The local option levy is authorized through 2008. As a result of this financial structure, only property tax revenue derived from the permanent rate will be affected by the proposed annexation.

Annexation of the Plan Area would remove an estimated 3,192 properties from the ESPD area, or 5.3% of the ESPD assessed value. As a result, the district would lose an estimated \$397,000 from the permanent rate if the entire Plan Area were to annex in one piece.

The ESPD supports a total of 94 certified officers. At the ESPD average service level of .51 officers per 1,000 population, the theoretical reduction in staff due to the annexation would be an estimated 3.9 FTE, or 4.1% of ESPD certified officers. However, it is anticipated that growth elsewhere in the district will mitigate the need for actual staff reductions. Therefore the impact on the ESPD from the annexation is considered minimal, due to the expected future growth in the remaining district over the next five years.

#### *Urban Road Maintenance District (URMD)*

The property tax revenue loss to the URMD is estimated to be \$153,000. This represents 5.5% of revenue of the URMD. The district provides the majority of its services through contracts rather than with paid staff. Due to the relatively small proportion of the URMD service area impacted by the proposed annexation and its reliance on contract-based work, the impact on the URMD is considered minimal.

*Street District for Lighting (SDL)*

Washington County operates a street lighting district throughout the County. As areas develop, special assessment areas are established to collect and pay for street light installation, maintenance, and power. The assessments are determined specifically for each area based on actual costs and assessed annually on property tax bills.

The proposed annexation area includes 49 street lighting district assessment areas encompassing 2,430 tax lots. The total assessment to be levied in these areas for FY 2003-04 is \$83,530.

Upon annexation, the street lighting assessments will no longer be levied. The impact of this lost revenue on the SDL is considered insignificant: the costs to provide maintenance and operation in the Plan Area will be absorbed by Tigard and no longer paid by the district. Because the street lighting assessments are included on property tax bills, coordination of the transition from the County Street District for Lighting to the City of Tigard will be important.

*Washington County*

Washington County would lose its share of County gas tax at an estimated \$3.71 per capita or \$27,179 due to the proposed annexation. The County would also lose an estimated \$43,475 per year in cable television franchise fees. Total County operating revenues from all sources for FY 2003-04 are \$297,000,000. The loss of the County gas tax share and cable franchise fee share will not have a significant impact on Washington County.

The County also has established a number of Road Maintenance Local Improvement Districts (LIDs) throughout the County. The County establishes these LIDs and determines the assessments, but it has not imposed the assessments. The purpose of each district is to ensure that road maintenance activities will be adequately funded as new development occurs. They are a backup funding mechanism to the Urban Road Maintenance District. No assessments have been levied; therefore, the districts have no fiscal impact.

**Tigard Water District**

The Tigard Water District (TWD) consists of approximately 3,500 accounts within the Urban Growth Boundary (UGB). It is bounded by Barrows Road on the north, Tigard city limits on the east, Beef Bend Road on the west and King City on the south. TWD, the City of Tigard, King City, and Durham compose the Intergovernmental Water Board. TWD serves properties that are inside the Urban Growth Boundary but unincorporated.

*Financial Impacts*

The district collects its only revenues from 1% of total water sales within its boundaries. All water sales are billed and managed by the City of Tigard, and the 1% is remitted on an annual basis.

Current accounts generate approximately \$18,000 in revenue for TWD. Annexing the Plan Area would withdraw 83% of current accounts and just less than half (48.6%) of the current annual revenue. Approximately 524 accounts would remain in the district, producing approximately \$9,450 in revenue (Appendix B contains all figures).

*Institutional Impacts*

As Tigard and King City annex land, they withdraw those lands from TWD. If the Plan Area is annexed, approximately 83% of the current accounts would be withdrawn. The remaining district territory is within the UGB and would be annexed in the future. At that time, the district will cease to exist.

The TWD Board has discussed this scenario and has been briefed by the Tigard City Attorney on the process of dissolving the district, should the need develop. However, annexing the Plan Area would not necessarily cause the district to dissolve since approximately 524 accounts would remain. Those accounts could be annexed into either King City or Tigard in the future. The Tigard Water District Board may choose to dissolve the district following procedures clearly laid out in state law; that decision rests with the TWD Board.

**Other Districts**

The Plan Area currently is served by Tualatin Valley Fire and Rescue (TVF&R), TriMet, and Clean Water Services. The proposed annexation will have no impacts on TVF&R or TriMet, which also provide service to the City of Tigard.

The City of Tigard and Clean Water Services have entered into an agreement to transfer operation and maintenance of a portion of the Clean Water Services territory, including the Plan Area, to the City of Tigard effective July 1, 2004. The City is already scheduled to provide these services regardless of annexation. Therefore, the annexation of this territory to the City of Tigard is anticipated to have no impact on Clean Water Services.

**Summary: Criteria 4 (Effects on Existing Service Providers)**

- ☒ *Washington County's services or the services of its special districts would not be significantly impacted by the annexation.*
- ☒ *The Tigard Water District would lose 83% of current accounts and 48.6% of current annual revenue. However, this does not cause the district to dissolve, as it can continue to serve its remaining customers.*
- ☒ *Other service providers would not be significantly impacted.*

## E. LONG-TERM BENEFITS

*An annexation plan adopted under ORS 195.205 shall include*  
**The long-term benefits of the annexation plan.**

Annexations will occur in the Plan Area with or without an annexation plan. Currently, annexations occur at the owner's request, resulting in a piecemeal approach to incorporation. In contrast, *The Bull Mountain Annexation Plan* provides a comprehensive strategy for annexation, and long-term planning offers long-term benefits:

- **Completing the community.** Annexation would allow the City to plan for growth on Bull Mountain with an updated comprehensive plan for the entire community. The plan presents a significant step toward completing our community as it was envisioned 20 years ago.
- **Smooth transition.** The plan's orderly schedule of annexation allows services to be phased in effectively. All needed services have been identified, along with interim measures to get these services on-line prior to annexation. Citizens can depend on a smooth transition.
- **Efficiency.** Ensures that annexations occur in an orderly manner. It eliminates piecemeal annexations, which can create inefficiencies for service providers due to irregular boundaries. By coordinating services, agencies assure that services are not duplicated and are provided by the most appropriate provider, leading to cost-savings and more efficient services.
- **Certainty.** The plan establishes a schedule for annexation and service area adjustments, which allows the City, County and affected special districts time to plan for changes and capital improvements. The plan provides certainty for homeowners and developments on annexation's timeline, which can be factored into future decisions in the Plan Area.
- **Urban services by an urban provider.** Bull Mountain has grown beyond its rural roots, and become an urbanized area with streets, sidewalks, and services that require city-level maintenance. Urban areas need urban service providers, as envisioned in the Tigard and Washington County comprehensive plans. Cities, not counties, are best equipped to provide urban services, and the plan assigns this duty to Tigard. Bull Mountain would receive its services from a provider just down the street who can respond quickly to service needs. Maintaining facilities at higher levels protects the original investment and prevents more costly improvements in the long run, maximizing available funds.
- **Known costs and benefits.** The plan clarified the costs and benefits of annexation to Bull Mountain residents, citizens of Tigard, the City and the County, and to all related agencies. By anticipating future needs, the analysis concluded that services

can be provided to both Bull Mountain and current residents without a significant reduction in services. It assures current Tigard residents they can continue to rely on the same standard of service they receive today. Annexation will not raise taxes for current Tigard residents.

- **Equity.** Annexation would allow all users to equitably share service costs. Bull Mountain residents enjoy Tigard parks and its library, but Tigard resident taxes pay for parks maintenance and almost half of the library capital costs (the other half comes from the County library system, for which all County residents pay). With annexation, everyone would pay for the same service, and facilities will benefit from increased maintenance dollars.
- **Parks services.** Tigard provides parks services only to the incorporated area. Upon annexation, Bull Mountain will receive resident privileges. The plan also allows the County to begin collecting system development charges. The funds would be frozen in a fund until annexation. At that time, the funds would transfer to Tigard for acquisition, planning and development of parks, including Cache Creek in the North subarea.
- **Unify the community.** As citizens of Tigard, Bull Mountain residents would have a say on local issues that affect their community's future. Although Tigard has included Bull Mountain residents in its planning efforts (The Parks Master Plan, Tigard Beyond Tomorrow), Bull Mountain residents cannot vote on Tigard issues or its leaders, or run for City Council. Considering this plan together would help both parties work together for their future.

Most of all, an annexation plan takes the guesswork out of future annexations. It is a blueprint for the Plan Area that clearly quantifies the future: *when* will annexation happen, *how* will it occur, *what* services can residents expect, and *how* much will it cost, and *why* it's going to happen. Both the Plan Area and the City can plan for the future, as they move closer to completing their community.

**Summary: Criteria 5 (Long-Term Benefits)**

- ☑ *The plan provides a comprehensive strategy for annexation. The plan's long-term benefits include certainty, efficiency, making a smooth transition, more capital improvement dollars, urban services by an urban provider, quantifying the costs and benefits, equity, parks, and unifying the community.*
- ☑ *It allows the city and residents to plan for Bull Mountain's future.*

### III. ADDITIONAL ANNEXATION PLAN REQUIREMENTS

The *Bull Mountain Annexation Plan* proposes an orderly transition of services. It addresses the criteria contained in ORS 195.220:

1. Local standards of urban service availability required as a precondition of annexation;
2. The planned schedule for providing urban services to the annexed territory;
3. The timing and sequence of annexation;
4. The effects on existing urban services providers;
5. The long-term benefits of the annexation plan.

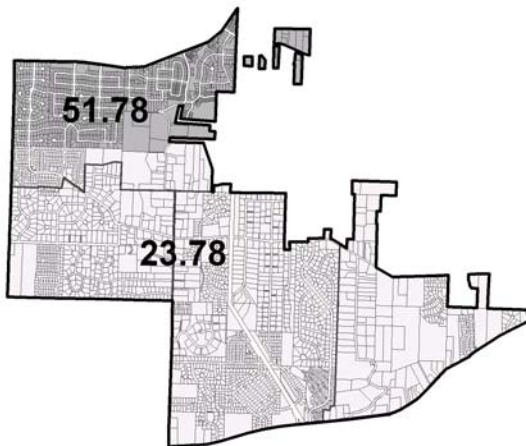
The plan process also requires two additional documents:

**1. Urban Services Agreement** with all urban services providers in the Plan Area. All providers in the Plan Area signed the Tigard Urban Service Agreement, and it took effect in February 2003. A copy is included as Appendix D.

**2. Fiscal impact agreement** between the county and annexing city if the annexation causes reductions in the county property tax revenues (compression). The Washington County Finance Department conducted the following analysis:

ORS 195.205(2)(b) states that “The territory contained in the annexation plan is subject to an agreement between the city and county addressing fiscal impacts, if the annexation is by a city and will cause reductions in the county property tax revenues by operation of section 11b, Article XI of the Oregon Constitution.”

Section 11b, Article XI of the Oregon Constitution (commonly known as Measure 5) limits total non-school property tax rates to no more than \$10 per \$1,000 of assessed valuation. If the tax rates of all non-school taxing jurisdictions exceed \$10 per \$1,000, the rates of each district are proportionately reduced to bring the total under the \$10 limit. This process is called compression.



The proposed Bull Mountain annexation area makes up the majority of tax code area 23.78 and 51.78. The government tax rate in both code areas for FY 2002-03 was \$5.8878 per \$1,000. With tax rate adjustments in both codes due to the proposed annexation, the estimated resulting rate will be \$7.1318 per \$1,000. This rate is well below the \$10 Measure 5 cap and therefore compression is not likely to occur in the near future. The Plan Area will continue to pay County taxes after annexation, as all Tigard areas do.

As a result, no agreement between the City and the County is required under this section because annexation of the Plan Area is not expected to cause reductions in County property tax revenues due to compression.



**Summary: All Requirements for Annexation Plans****1. Plan Criteria**

- ☒ Local standards of urban service availability required as a precondition of annexation;
- ☒ The planned schedule for providing urban services to the annexed territory;
- ☒ The timing and sequence of annexation;
- ☒ The effects on existing urban services providers;
- ☒ The long-term benefits of the annexation plan.

**2. Pre-Requisite**

- ☒ Urban Service Agreements in place. (TUSA; effective February 2003)

**3. Fiscal Impact Agreement Between City and County if Compression Occurs**

- ☒ County property taxes will not be reduced due to compression. No fiscal agreement is required.

- ☒ All requirements have been addressed.

## IV. CONCLUSION

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*The Bull Mountain Annexation Plan* presents a systematic and efficient approach to annex unincorporated Bull Mountain and move toward completing the Tigard community. Using existing service agreements among agencies and cost-benefit analyses, the plan addresses all criteria set forth by state law ORS195: the provision (how and when) of urban services, annexation's impact on existing providers, the timing and sequence of annexation, and the plan's long-term benefits. Most critically, the plan provides a proposal for transferring services and households to Tigard in an organized and efficient manner, grounded solidly on the ORS195.220 criteria.

In order to provide City service standards to annexed residents and maintain standards to current residents, the plan proposes to annex Bull Mountain in four phases:

**Phase 1 – 2004.** Annex South. Next logical area due to location. Provides a connection to Urban Growth Boundary (UGB) expansion site 63.

**Phase 2 – 2005.** Annex East. Brings in the area that is closest in proximity to the City and the least developed. Maximizes potential financial contributions by new development toward capital improvements.

**Phase 3 – 2006.** Annex North. Allows the City to begin developing its parkland and makes a connection to Urban Growth Boundary (UGB) expansion site 64.

**Phase 4 – 2007.** Annex West. Final area; also has connection to Urban Growth Boundary (UGB) expansion site 64.

## APPENDIX A

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### GLOSSARY

**Annexation:** The act of permanently bringing unincorporated land areas into a City by transferring properties from the County tax roll to the City tax roll. Householders become residents of the annexing city, and receive City resident services.

**Annexation Effective Date:** Following a yes vote and verification of results, annexation would become effective day one of the following fiscal year (July 1).

**Availability:** The service is provided to the area and the infrastructure is present. It does not mean that each household receives the actual service; for example, in the case of sewer, hook-ups are available in the area, but some households maintain septic tanks until they decide to connect.

**Comprehensive Plan:** The document that envisions how lands will be used and developed in a community and sets policy accordingly. It coordinates all functional and natural systems (i.e., facilities and natural resources). Each Oregon jurisdiction is required by state land-use planning laws to have an adopted comprehensive plan. The plan includes a generalized land use map. The land-use zoning code implements the comprehensive plan. Tigard's is available on its website, [www.ci.tigard.or.us](http://www.ci.tigard.or.us)

**Long-Range Planning:** Arm of Community Development that is tasked with meeting State Planning Goals. Staff develops long-term land use and transportation strategies, and plans for future growth.

**Plan Area:** The Annexation Plan applies to the unincorporated area of Bull Mountain. See **Map 1 on page 3** for a delineation of boundaries.

**Unincorporated:** Lands that are not located inside any city limits. These areas are governed by Washington County.

**Urban Growth Boundary (UGB):** Boundary that divides metropolitan areas from the surrounding rural areas. Areas within the UGB can be developed at urban standards; areas outside the UGB cannot.

**Urban Planning Area:** The City of Tigard's ultimate boundary, determined through the Urban Planning Area Agreement with Washington County.

**Urban Service:** Services that typically are provided to incorporated areas. ORS195 defines urban services as sanitary sewers, water, fire protection, parks, open space, recreation, streets, roads and mass transit. *The Bull Mountain Annexation Plan* also considers the following services as urban: police, storm sewer, building and development services, and street light maintenance.

**Urbanization:** To provide for an orderly and efficient transition from rural to urban land use, consistent with State Planning Goal 14 (Urbanization). Land within the boundaries separating urbanizable land from rural land (UGB) is considered available over time for urban uses.

**ACRONYMS:**

**ORS:** Oregon Revised Statutes; state law.

**SDCs:** System Development Charges. Fees paid by new development to fund future capital improvements. SDCs act as growth management tools by helping pay for system improvements needed as population and households increase.

**TUSA:** Tigard Urban Services Agreement. Signed by the City, Washington County, and all current and future service providers for the unincorporated areas within Tigard's planning area. Determines future service providers and process for transferring services between providers upon annexation. The TUSA took effect in February 2003, and is a pre-requisite for an annexation plan.

**UPAA:** Urban Planning Area Agreement. An agreement between Washington County and City of Tigard which established Bull Mountain as part of the City's Urban Planning Area. It was originally signed in 1983 and updated most recently in fall 2003.

| September 2003 |    |    |    |    |    |    |
|----------------|----|----|----|----|----|----|
| S              | M  | T  | W  | T  | F  | S  |
|                | 1  | 2  | 3  | 4  | 5  | 6  |
| 7              | 8  | 9  | 10 | 11 | 12 | 13 |
| 14             | 15 | 16 | 17 | 18 | 19 | 20 |
| 21             | 22 | 23 | 24 | 25 | 26 | 27 |
| 28             | 29 | 30 |    |    |    |    |

# October 2003 Bull Mountain Meetings

| November 2003 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
|               |    |    |    |    |    | 1  |
| 2             | 3  | 4  | 5  | 6  | 7  | 8  |
| 9             | 10 | 11 | 12 | 13 | 14 | 15 |
| 16            | 17 | 18 | 19 | 20 | 21 | 22 |
| 23            | 24 | 25 | 26 | 27 | 28 | 29 |
| 30            |    |    |    |    |    |    |

| Sun | Mon | Tue   | Wed                  | Thu  | Fri | Sat |
|-----|-----|---|----------------------|--|-----|-----|
|     |     |   | 1                    | 2<br>10A FOCUS ON TIGARD -<br>BULL MTN. ANNEXATION | 3   | 4   |
| 5   | 6   | 7<br>6P Council review of Annex<br>Plan Document<br>6:30 Joint meeting with<br>Board of Commissioners | 8                    | 9  | 10  | 11  |
| 12  | 13  | 14  | 15<br>7P COFFEE TALK | 16<br>7P COFFEE TALK                               | 17  | 18  |
| 19  | 20  | 21  | 22<br>7P COFFEE TALK | 23<br>7P COFFEE TALK                               | 24  | 25  |
| 26  | 27  | 28  | 29<br>7P COFFEE TALK | 30<br>7P COFFEE TALK                               | 31  |     |

| October 2003 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | T  | F  | S  |
|              |    |    | 1  | 2  | 3  | 4  |
| 5            | 6  | 7  | 8  | 9  | 10 | 11 |
| 12           | 13 | 14 | 15 | 16 | 17 | 18 |
| 19           | 20 | 21 | 22 | 23 | 24 | 25 |
| 26           | 27 | 28 | 29 | 30 | 31 |    |

# November 2003 Bull Mountain Meetings

| December 2003 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
|               | 1  | 2  | 3  | 4  | 5  | 6  |
| 7             | 8  | 9  | 10 | 11 | 12 | 13 |
| 14            | 15 | 16 | 17 | 18 | 19 | 20 |
| 21            | 22 | 23 | 24 | 25 | 26 | 27 |
| 28            | 29 | 30 | 31 |    |    |    |

| Sun | Mon | Tue   | Wed  | Thu                  | Fri  | Sat |
|-----|-----|---|--|----------------------|--|-----|
|     |     |   |  |                      |  | 1   |
| 2   | 3   | 4<br>6P Council meeting - assess progress; final comments on Plan | 5<br>7:30A Cityscape deadline for December/January issue<br>7P COFFEE TALK | 6<br>7P COFFEE TALK  | 7  | 8   |
| 9   | 10  | 11  | 12<br>7P COFFEE TALK   | 13<br>7P COFFEE TALK | 14   | 15  |
| 16  | 17  | 18<br>12P Final Annexation Plan Document completed                | 19<br>6P BULL MTN. OPEN HOUSE - TWALITY                                    | 20<br>7P COFFEE TALK | 21   | 22  |
| 23  | 24  | 25  | 26<br>7P COFFEE TALK   | 27<br>7P COFFEE TALK | 28<br>8A Cityscape distributed before Dec. 1 | 29  |
| 30  |     |   |  |                      |  |     |

| November 2003 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
|               |    |    |    |    |    | 1  |
| 2             | 3  | 4  | 5  | 6  | 7  | 8  |
| 9             | 10 | 11 | 12 | 13 | 14 | 15 |
| 16            | 17 | 18 | 19 | 20 | 21 | 22 |
| 23            | 24 | 25 | 26 | 27 | 28 | 29 |
| 30            |    |    |    |    |    |    |

December 2003

Bull Mountain Meetings

| January 2004 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | T  | F  | S  |
|              |    |    |    | 1  | 2  | 3  |
| 4            | 5  | 6  | 7  | 8  | 9  | 10 |
| 11           | 12 | 13 | 14 | 15 | 16 | 17 |
| 18           | 19 | 20 | 21 | 22 | 23 | 24 |
| 25           | 26 | 27 | 28 | 29 | 30 | 31 |

| Sun | Mon | Tue  | Wed                  | Thu                  | Fri | Sat |
|-----|-----|--|----------------------|----------------------|-----|-----|
|     | 1   | 2<br>6P CC - Annexation Plan<br>Hearing; ordinance adoption            | 3<br>7P COFFEE TALK  | 4<br>7P COFFEE TALK  | 5   | 6   |
| 7   | 8   | 9<br>6P Council consider<br>ordinance to place annex<br>plan on ballot | 10<br>7P COFFEE TALK | 11<br>7P COFFEE TALK | 12  | 13  |
| 14  | 15  | 16<br>6P Placeholder for Council                                       | 17<br>7P COFFEE TALK | 18<br>7P COFFEE TALK | 19  | 20  |
| 21  | 22  | 23   | 24<br>7P COFFEE TALK | 25<br>7P COFFEE TALK | 26  | 27  |
| 28  | 29  | 30   | 31<br>7P COFFEE TALK |                      |     |     |

December 2003

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

# January 2004

## Bull Mountain Meetings

February 2004

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 |    |    |    |    |    |    |

| Sun       | Mon  | Tue       | Wed   | Thu   | Fri   | Sat       |
|-----------|--|-----------|---|---|---|-----------|
|           |  |           |   | <b>1</b><br>7P COFFEE TALK                                    | <b>2</b>  | <b>3</b>  |
| <b>4</b>  | <b>5</b><br>8A Cityscape deadline for February issue | <b>6</b>  | <b>7</b><br>12P Notice of annex plan election prepared<br>7 COFFEE TALK | <b>8</b><br>10A FOCUS ON TIGARD - BULL MTN.<br>7P COFFEE TALK | <b>9</b>  | <b>10</b> |
| <b>11</b> | <b>12</b>  | <b>13</b> | <b>14</b><br>7P COFFEE TALK   | <b>15</b><br>7P COFFEE TALK                                   | <b>16</b>   | <b>17</b> |
| <b>18</b> | <b>19</b>  | <b>20</b> | <b>21</b><br>6P OPEN HOUSE - DEER CREEK<br>7 COFFEE TALK                | <b>22</b><br>7P COFFEE TALK                                   | <b>23</b>   | <b>24</b> |
| <b>25</b> | <b>26</b>  | <b>27</b> | <b>28</b><br>7P COFFEE TALK   | <b>29</b><br>7P COFFEE TALK                                   | <b>30</b><br>8A Cityscape distributed before Feb. 1 | <b>31</b> |



# February 2004

## Bull Mountain Meetings

January 2004

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

March 2004

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

| Sun       | Mon       | Tue       | Wed  | Thu   | Fri  | Sat       |
|-----------|-----------|-----------|--|---|--|-----------|
| <b>1</b>  | <b>2</b>  | <b>3</b>  | <b>4</b><br>7P COFFEE TALK                                       | <b>5</b><br>8A Cityscape deadline for March issue<br>10 FOCUS ON TIGARD - BULL MTN.<br>7P COFFEE TALK | <b>6</b>   | <b>7</b>  |
| <b>8</b>  | <b>9</b>  | <b>10</b> | <b>11</b><br>7P COFFEE TALK                                      | <b>12</b><br>7P COFFEE TALK   | <b>13</b>  | <b>14</b> |
| <b>15</b> | <b>16</b> | <b>17</b> | <b>18</b><br>6P OPEN HOUSE - TIGARD HIGH SCHOOL<br>7 COFFEE TALK | <b>19</b><br>7P COFFEE TALK   | <b>20</b>  | <b>21</b> |
| <b>22</b> | <b>23</b> | <b>24</b> | <b>25</b><br>7P COFFEE TALK                                      | <b>26</b><br>7P COFFEE TALK   | <b>27</b><br>8A Cityscape distributed before March 1 | <b>28</b> |
| <b>29</b> |           |           |  |   |  |           |

| February 2004 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
| 1             | 2  | 3  | 4  | 5  | 6  | 7  |
| 8             | 9  | 10 | 11 | 12 | 13 | 14 |
| 15            | 16 | 17 | 18 | 19 | 20 | 21 |
| 22            | 23 | 24 | 25 | 26 | 27 | 28 |
| 29            |    |    |    |    |    |    |

# March 2004 Bull Mountain Meetings

| April 2004 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
|            |    |    |    | 1  | 2  | 3  |
| 4          | 5  | 6  | 7  | 8  | 9  | 10 |
| 11         | 12 | 13 | 14 | 15 | 16 | 17 |
| 18         | 19 | 20 | 21 | 22 | 23 | 24 |
| 25         | 26 | 27 | 28 | 29 | 30 |    |

| Sun | Mon | Tue                                  | Wed   | Thu                 | Fri  | Sat |
|-----|-----|--------------------------------------|---|---------------------|--|-----|
|     | 1   | 2                                    | 3<br>7P COFFEE TALK                           | 4<br>7P COFFEE TALK | 5<br>8A Cityscape deadline for April issue | 6   |
| 7   | 8   | 9<br>8A ELECTION                     | 10  | 11                  | 12   | 13  |
| 14  | 15  | 16                                   | 17  | 18                  | 19   | 20  |
| 21  | 22  | 23<br>6P CC - Proclamation ordinance | 24  | 25                  | 26   | 27  |
| 28  | 29  | 30                                   | 31<br>8A Cityscape distributed before April 1 |                     |  |     |

COUNCIL MINUTES  
TIGARD CITY COUNCIL MEETING  
March 18, 2003

1. WORKSHOP MEETING

- 1.1 Mayor Griffith called the meeting to order at 6:36 p.m.
- 1.2 Roll Call: Mayor Griffith and Councilors Dirksen, Moore, Sherwood, and Wilson were present.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non Agenda Items: None

2. UPDATE ON THE URBAN GROWTH BOUNDARY EXPANSION AND SCOPE

Community Development Director Hendryx and Long-Range Planning Manager Shields updated Council on Metro's UGB expansion program and process, including major policy alternatives for Tigard.

Concerns and discussion by Council included:

- density – what if 10 units/acre is not doable; how to plan next to less-dense areas
- new regulations on how to provide housing, including affordable housing
- agreement that City should provide planning for the area; explore possibility for assistance from County or Metro for the cost in planning for this area
- detailed analysis for area will be needed; outside assistance for staff required for transportation modeling and review of natural resources
- ask developers to help pay for this planning...a possibility?
- County is anticipating that the City will do this planning for two areas adjacent to Tigard
- planning must be done within two years
- annexation not required prior to urbanization
- these areas are not extensively developed as is the adjacent Bull Mountain area; planning should be looked at differently
- agreement that potential annexation of Bull Mountain parcels and the two new UGB parcels should proceed on "separate tracks"

Community Development staff will prepare information for Council review of the proposed Bull Mountain annexation in June.

### 3. DISCUSSION ON THE PROPOSED STREET MAINTENANCE FEE

City Engineer Duenas, and Transportation Financing Strategies Task Force Members Bev Froude, Glenn Mores, and Joe Schweitz were present to report to the Council on the proposed street maintenance fee.

Council was given background information. Discussion was held on how streets are monitored for deterioration; the methodology for assigning fee assessment (trip generation) for residential and commercial properties; status of other Oregon cities street maintenance fee; faster deterioration of roadways associated with street cuts.

Staff and the Task Force members recommended proceeding with establishing the street maintenance fee.

Councilor Wilson and Sherwood commented that the timing was not good to implement such a fee because of the poor economy. Mayor Griffith and Councilors Moore and Dirksen indicated support of the fee because delayed maintenance may be more costly in the long run.

Direction to Engineering staff was to prepare information for a public hearing to be scheduled for April or May. Additional information would be prepared with regard to fee assessment (i.e., trip generation or 50/50 split between residential and commercial; also, either a sunset clause proposal or a required periodic review). After the public hearing, an ordinance will be prepared for Council consideration if a majority of Council indicates a desire to proceed with a street maintenance fee.

### 4. PREVIEW AND DISCUSS ATFALATI RECREATION DISTRICT CONCESSION AGREEMENT OPTIONS

Public Works Director Wegner reviewed options for the Atfalati Recreation District (ARD) repayment schedule for a portion of land acquisition and improvements to Cook Park. Council and staff also reviewed the proposal for the future operations of the Cook Park Concession Stand.

Highlights of the staff presentation are contained in a PowerPoint presentation (copy on file in the City Recorder's office).

ARD Representatives present included John Anderson, Valorie Westlund (Southside Soccer Club) and Maria Rose (Little League).

The City and ARD agreed to proceed immediately with the Cook Park improvements, rather than a phased-in approach, when it was possible for the City to receive a low-interest loan. The Agreement with ARD was silent about loan interest.

After discussion about the proposed options for the ARD repayment schedule, Council members agreed they would consider agreeing to a \$65,000 credit requested by ARD. With regard to loan interest, Council discussed the state of the City's limited finances as well as the services provided to the community by ARD. An option that Council members would like to review would be to consider a grant to ARD (in the community events portion of the budget) for \$5,000 a year for the next 10 years. If approved, ARD would need to apply for a grant each year along with other community event requests.

Council agreed with the proposed Concession Stand Operation Agreement Addendum as presented.

Public Works staff will return to Council on April 8 with a proposal for Council's formal consideration with regard to the ARD repayment scheduled and the Concession Stand Operation Agreement.

> Administrative Items:

City Manager Monahan reviewed the following Administrative Items:

- Shining Stars Banquet – May 2, 6 p.m. – Greenwood Inn. Councilors Sherwood and Dirksen will attend.
- Mayor's Prayer Breakfast – May 7, - 7-9:15 a.m.; Mayor and Councilors Dirksen, Sherwood, and Wilson will attend.
- Council Budget – Councilors agreed to cut NLC membership and attendance at the NLC Conference, plus reduce the business meeting lunches & dinner line item by \$216.
- Joint meeting with City of Tualatin Council and Tigard-Tualatin School District Board on April. Agenda items were reviewed. "Status of Youth Forum" was added as an item to this agenda.
- Councilor Dirksen will serve on the Executive Committee for Atfalati
- Councilor Wilson advised he may consider serving on the Metro Regional Center Committee.
- Representative Williams cannot meet with Council on March 25 or April 22; he suggested that he could meet with Council on April 8. Senator Burdick will be contacted to determine what her preference would be for meeting with the Council.

- After a brief review of the letter received from Lake Oswego Mayor Judie Hammerstad, Council indicated that it would be open to hear proposals about how cities might be able to assist with funding for school districts.
- Council received information from Community Development Director Hendryx about 74<sup>th</sup> Avenue Greenspaces acquisitions (Metro request for City to assume local management responsibility).
- City Manager Monahan reported that Tigard Police Officers will be available to assist the City of Portland (mutual assistance) in anti-war demonstration activity expected in Portland.
- Council was reminded of Ron Goodpasters' retirement reception on Thursday, March 20, 7 p.m.
- A delegation from Indonesia is expected to arrive in April. They will spend time learning about Beaverton's mediation program.

5. COUNCIL LIAISON REPORTS

6. NON-AGENDA ITEMS: None

7. EXECUTIVE SESSION: Not held

8. ADJOURNMENT: 9:21 p.m.

Attest:

\_\_\_\_\_  
Catherine Wheatley, City Recorder

\_\_\_\_\_  
Mayor, City of Tigard

Date: \_\_\_\_\_

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